

## **1995 Noncode Acts**

### **1995-1-92**

SECTION 92. (a) The common council of the city of Hammond shall administer the operation of Wolf Lake Memorial Park in the same manner as other city parks located in the city.

(b) All that part of the real property known as Wolf Lake Memorial Park located in North Township, Lake County, Indiana, that:

- (1) on March 14, 1957, was held by the state; and
- (2) was not in use and occupied on March 15, 1957, by a toll road project constructed and maintained under IC 8-15-2;

is dedicated as a public recreation area. The use, possession, operation, maintenance, and development of the dedicated real property is vested perpetually in the city of Hammond, Indiana, subject to the limitations set forth in this SECTION.

(c) The real property dedicated by this SECTION:

- (1) shall be administered, operated, maintained, and developed as a public park in the city; and
- (2) shall not be withdrawn from the city as long as the use and possession of the real property by the city is consistent with the dedication and all other provisions of this SECTION.

(d) If the city:

- (1) converts the dedicated real property or any part of the property to a use other than as a public park in the city; or
- (2) dumps or deposits or suffers or permits to be dumped or deposited garbage, refuse, or other worthless matter in or upon the dedicated real property or any part of the property, except as is necessary and incidental to the public park use;

the general assembly may withdraw all of the dedicated real property from the city without compensation to the city.

### **1995-2-141**

SECTION 141. (a) This act is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. This act is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) This act does not affect any:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) violations committed; or
- (4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in this act shall be treated after the effective date of the new provision as a reference to the new provision.

### **1995-3-158**

SECTION 158. (a) This SECTION applies to:

(1) a ballot card voting system; or  
(2) an electronic voting system;  
approved by the state election board after April 22, 1992, and before July 1, 1993.

- (b) The approval of the system expires July 1, 1998.  
(c) This SECTION expires July 2, 1998.

**1995-3-159**

SECTION 159. (a) An election board may continue to use the forms described in this act that are in existence on July 1, 1995, until August 31, 1995.

- (b) This SECTION expires September 1, 1995.

**1995-3-160**

SECTION 160. (a) A declaration of candidacy that does not comply with IC 3-10-1-14, as amended by this act, by setting forth the name of a candidate as indicated on the candidate's voter registration record, may be amended by the candidate to comply with IC 3-10-1-14, as amended by this act, not later than noon, July 1, 1995.

- (b) This SECTION expires December 31, 1995.

**1995-3-161**

SECTION 161. (a) The census data advisory committee, with the assistance of the department of education, shall prepare legislation for introduction in the 1996 regular session of the general assembly to reorganize and revise the parts of IC 20 and IC 21 setting forth the election laws governing the organization of school boards, the election of school board members, and public questions concerning school organization to:

- (1) repeal obsolete and conflicting legislation;  
(2) reorganize these statutes to be more readily understandable;  
and  
(3) make as few substantive changes as possible to reorganize and revise this body of law.

- (b) This SECTION expires December 31, 1995.

**1995-4-17**

SECTION 17. (a) All actions of the 109th general assembly under IC 2-2.1-1 (before its amendment by this act) are valid and legal under IC 2-2.1-1, as amended by this act.

(b) The house of representatives and the senate of the 109th general assembly may:

- (1) each adopt or amend rules; and  
(2) together adopt or amend joint rules;

to provide a transition between IC 2-2.1-1 (before its amendment by this act) and IC 2-2.1-1, as amended by this act.

- (c) This SECTION expires January 1, 1997.

**1995-4-18**

SECTION 18. (a) Except as provided in subsection (b), IC 2-2.1-1, as amended by this act, applies to the 1995 regular technical session.

(b) IC 2-2.1-1-2.5, as added by this act, does not apply to the 1995 regular technical session.

(c) Before the 1995 regular session adjourns sine die, the general assembly may adopt a concurrent resolution to fix a day to convene the 1995 regular technical session of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the 1995 regular session adjourns sine die.

(d) Only the following may be considered and acted upon during the 1995 regular technical session:

(1) Bills to correct conflicts among bills enacted during the 1995 regular session.

(2) Bills to correct technical errors in bills enacted during the 1995 regular session.

(e) The 1995 regular technical session must adjourn sine die before midnight after it convenes.

(f) The concurrent resolution adopted under subsection (c) may provide that the 1995 regular technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which the 1995 regular technical session may meet under subsection (d) do not justify the cost and inconvenience of meeting in a regular technical session.

(g) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the 1995 regular technical session is not considered a regular session of the general assembly.

(h) This SECTION expires January 1, 1997.

### **1995-5-38**

SECTION 38. (a) After May 31, 1995, any reference in a statute, contract, bond, or other legal document to Indiana Vocational Technical College shall be treated as a reference to Ivy Tech State College.

(b) This SECTION expires July 1, 1999.

### **1995-8-73**

SECTION 73. (a) As used in this SECTION, "board" refers to the state election board established by IC 3-6-4-1.

(b) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1, as added by this act.

(c) As used in this SECTION, "executive director" refers to the executive director of the board appointed under IC 3-6-4-17, as in effect on June 30, 1995.

(d) On July 1, 1995, the board is abolished and all powers, duties, and functions of the board are transferred to the commission.

(e) After June 30, 1995, a rule adopted by the board under IC 4-22-2 before July 1, 1995 is considered a rule of the commission until the commission amends or repeals the rule under IC 4-22-2.

(f) After June 30, 1995, a reference to the board in any statute or rule is considered a reference to the commission.

(g) On July 1, 1995, the office of executive director of the board is terminated and all powers, duties, and functions of the office are

transferred to the commission, the chair of the commission, or the co-directors of the commission appointed under IC 3-6-4-17, as amended by this act, as provided in IC 3, as amended by this act.

(h) After June 30, 1995, a reference to the executive director of the board appointed under IC 3-6-4-17, as in effect on June 30, 1995, in any statute or rule shall be treated as a reference to the commission, the chair of the commission, or the co-directors of the commission appointed under IC 3-6-4-17, as amended by this act, as provided in IC 3, as amended by this act.

(i) This SECTION expires July 1, 1997.

#### **1995-8-74**

SECTION 74. (a) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1, as added by this act.

(b) Before July 1, 1995, the governor shall appoint the members of the commission. The appointments required under this subsection must be made under the procedure required by IC 3-6-4.1, as added by this act, for the filling of a vacancy in the office of each of the members of the commission.

(c) Notwithstanding IC 3-6-4.1-3, as added by this act, the terms of the members of the commission expire as follows:

(1) The terms of two (2) members of the commission expire July 1, 1996. The members whose terms expire under this subdivision may not be members of the same political party.

(2) The terms of two (2) members of the commission expire July 1, 1997. The members whose terms expire under this subdivision may not be members of the same political party.

When making the appointment of a member of the commission under this subsection, the governor shall, subject to this SECTION, state when the term of the member expires.

(d) Before August 1, 1995, the secretary of state shall call a meeting of the commission. At the meeting, the commission shall elect its chair as provided in IC 3-6-4-5.5, as added by this act. The commission may conduct other business at the meeting.

(e) This SECTION expires July 1, 1997.

#### **1995-8-75**

SECTION 75. (a) As used in this SECTION, "board" refers to the state election board established by IC 3-6-4-1.

(b) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1, as added by this act.

(c) Before July 1, 1995, the governor shall appoint the two (2) co-directors required by IC 3-6-4-17, as amended by this act. The appointments required by this subsection must be made under the procedure required by IC 3-6-4, as amended by this act, for the filling of a vacancy in the office of each of the co-directors. The individuals appointed by the governor must satisfy the requirements of IC 3-6-4, as amended by this act.

(d) An employee of the board on June 30, 1995, may serve as an employee of the commission after June 30, 1995, if employed by a

co-director under IC 3-6-4, as amended by this act.

(e) This SECTION expires July 1, 1997.

#### **1995-8-76**

SECTION 76. (a) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1, as added by this act.

(b) As used in this SECTION, "election division" refers to the election division of the secretary of state's office established by IC 3-6-4.2-1, as added by this act.

(c) On January 1, 1997, the appropriations, property, records, and office space of the commission are transferred to the election division.

(d) An individual who, on December 31, 1996, serves as an employee of the commission, serves as an employee of the election division after December 31, 1996, with all the rights, duties, and conditions of employment the individual had as an employee of the commission before January 1, 1997.

(e) This SECTION expires July 1, 1997.

#### **1995-8-77**

SECTION 77. (a) As used in this SECTION, "commission" refers to the state recount commission established by IC 3-12-10-1.

(b) As used in this SECTION, "state chairman" refers to the state chairman of a major political party (as defined in IC 3-5-2-30).

(c) Notwithstanding any other law, on July 1, 1995, the term of an individual who, on June 30, 1995, serves on the commission expires.

(d) Before July 1, 1995, the state chairman of each of the major political parties shall designate one (1) individual to serve on the commission under IC 3-12-10-2.1(a), as added by this act.

(e) Notwithstanding IC 3-12-10-2.1, as added by this act, the term of office of a member of the commission designated under this SECTION begins July 1, 1995.

(f) This SECTION expires July 1, 1997.

#### **1995-12-134**

SECTION 134. (a) There is appropriated to the state budget agency five hundred thousand dollars (\$500,000) from the state general fund to the voter registration contingency fund established under IC 3-6-4-32, as added by this act, beginning November 22, 1994, and ending June 30, 1995. The money in the fund may only be used by state agencies to implement the National Voter Registration Act. The budget director after review by the budget committee may augment the amount appropriated with the approval of the governor as considered appropriate to comply with the provisions of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-1 et seq.).

(b) This SECTION expires July 1, 1995.

#### **1995-12-135**

SECTION 135. (a) The state chairperson of each of the major political parties of the state (as defined in IC 3-5-2-30(1)) shall recommend in writing to the governor the names of three (3) persons

for appointment to the state election board as deputy director.

(b) The governor shall select one (1) person from each of the state chairperson's recommendations in subsection (a) and appoint the persons to serve as deputy directors of the state election board under the direction of the executive director of the state election board.

(c) The deputy directors' primary responsibilities shall be to assist the executive director of the state election board in overseeing the implementation of the NVRA.

(d) The deputy directors appointed under this SECTION shall receive identical salaries.

(e) This SECTION expires July 1, 1995.

#### **1995-12-136**

SECTION 136. Sec. 8. (a) Each office of the department of workforce development that provides assistance or services concerning unemployment compensation is a distribution site for registration by mail forms according to the procedures in IC 3-7-24, as added by this act.

(b) This SECTION expires December 31, 1995.

#### **1995-12-137**

SECTION 137. (a) As used in this SECTION, "voter registration forms" refers to the forms the state election board prescribes under IC 3-7-23, as added by this act.

(b) Notwithstanding IC 6-8.1-3-19, as added by this act, the department of state revenue must not include a voter registration form in each state adjusted gross income tax booklet until the department of state revenue mails out booklets for the 1995-1996 fiscal year.

(c) This SECTION expires December 31, 1996.

#### **1995-16-16**

SECTION 16. (a) Notwithstanding IC 33-5.1-2, as added by this act, the fifteen (15) judges of the Marion superior court whose terms expire December 31, 1996, are entitled to serve the remainder of their terms as judges of the Marion superior court established under IC 33-5.1-2, as added by this act. The initial election of the Marion superior court judges under IC 33-5.1-2, as added by this act, is the general election held November 5, 1996. The persons elected take office January 1, 1997.

(b) This SECTION expires January 1, 1998.

#### **1995-16-17**

SECTION 17. (a) The following apply to the judges of the Marion municipal court serving on December 31, 1995:

(1) The judge whose term as a municipal court judge expires December 31, 1995, and who is serving as municipal court judge on that date, is entitled to serve as a judge of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000. The initial election of the judge under IC 33-5.1-2, as added by this act, is the general election held November 7, 2000. The person elected takes office January

1, 2001.

(2) The three (3) judges whose terms as municipal court judges expire December 31, 1996, and who are serving as municipal court judges on that date, are entitled to serve as judges of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000. The initial election of the judges under IC 33-5.1-2, as added by this act, is the general election held November 7, 2000. The persons elected take office January 1, 2001.

(3) The three (3) judges whose terms as municipal court judges expire December 31, 1998, and who are serving as municipal court judges on that date, are entitled to serve as judges of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000. The initial election of the judges under IC 33-5.1-2, as added by this act, is the general election held November 7, 2000. The persons elected take office January 1, 2001.

(4) The three (3) judges whose terms as municipal court judges expire May 31, 1997, and who are serving as municipal court judges on that date, are entitled to serve as judges of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000. The initial election of the judges under IC 33-5.1-2, as added by this act, is the general election held November 7, 2000. The persons elected take office January 1, 2001.

(5) The six (6) judges whose terms as municipal court judges expire December 31, 1997, and who are serving as municipal court judges on that date, are entitled to serve as judges of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000. The initial election of the judges under IC 33-5.1-2, as added by this act, is the general election held November 7, 2000. The persons elected take office January 1, 2001.

(b) This SECTION expires January 1, 2002.

#### **1995-16-18**

SECTION 18. (a) The municipal court judge whose term expires December 31, 1997, and who is serving as a part-time judge on that date, is entitled to continue serving as a part-time judge of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000.

(b) The following apply to the part-time judge described in subsection (a):

(1) The judge shall be assigned to the criminal division of the Marion superior court.

(2) The judge may not practice criminal law in the Marion superior court, but may practice civil law in the Marion superior court.

(3) The judge may convert to full-time status at any time.

(c) If the judge serving as part-time judge of the Marion superior court stands for election in the general election held November 7, 2000

and any subsequent election, and is elected as judge of the Marion superior court, the judge may continue to serve as a part-time judge, subject to the provisions of subsection (b).

(d) If it is determined in a judicial ethics action that the judge serving as part-time judge of the Marion superior court may not engage in the practice of civil law before the Marion superior court, the cases in which the judge has entered an appearance or filed any pleadings shall be transferred to the Marion circuit court for further proceedings. The judge may continue to participate in the cases transferred to the circuit court. Cases transferred to the circuit court under this subsection have the same effect as if originally filed in or issued by the Marion circuit court.

#### **1995-16-19**

SECTION 19. (a) Notwithstanding IC 33-5.1-2, as added by this act, the Marion superior court, consisting of thirty-one (31) judges, may not be established before January 1, 1996.

(b) Notwithstanding IC 33-5.1-3, as added by this act, the administration of the Marion superior court may not occur before January 1, 1996.

(c) This SECTION expires January 1, 2002.

#### **1995-16-20**

SECTION 20. (a) The judges of the Marion superior court and the judges of the Marion municipal court who are serving on June 1, 1995, shall, not later than July 1, 1995, elect two (2) presiding judges under subsection (b) who shall act as the executive committee for the newly formed Marion superior court. Notwithstanding IC 33-5.1-2-9(a), the executive committee elected under this subsection shall serve for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The two (2) presiding judges who shall act as the executive committee under this section must be elected as follows:

(1) The republican judges of:

(A) the Marion superior court; and

(B) the Marion municipal court;

shall elect one (1) republican presiding judge to serve on the executive committee.

(2) The democrat judges of:

(A) the Marion superior court; and

(B) the Marion municipal court;

shall elect one (1) democrat presiding judge to serve on the executive committee.

(c) The interim executive committee for the newly formed Marion superior court elected under this section has all of the authority and limitations of the permanent executive committee elected under IC 33-5.1-2-9, as added by this act.

(d) The executive committee shall submit to the fiscal body of Marion County a proposed budget for the operation of the superior court established under IC 33-5.1-2-1, as added by this act, and shall provide for transition as a thirty-one (31) member superior court on January 1, 1996. The proposed budget required by this subsection shall



be submitted on the date specified by the fiscal body of Marion County.

(e) Notwithstanding IC 33-5.1-2, as added by this act, the executive committee elected under this SECTION shall provide for the initial organization of the thirty-one (31) member superior court, including employment of a court administrator, and shall take other necessary steps to assure an orderly and efficient administration of the unified court when it becomes operative on January 1, 1996.

(f) This SECTION expires January 1, 2002.

#### **1995-16-21**

SECTION 21. (a) All matters pending in the Marion superior court established under IC 33-5-35.1 on December 31, 1995, shall be transferred to the Marion superior court established under IC 33-5.1-2-1, as added by this act, in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Marion superior court established under IC 33-5.1-2-1, as added by this act.

(c) This SECTION expires January 2, 1996.

#### **1995-16-22**

SECTION 22. (a) All matters pending in the Marion municipal court established under IC 33-6-1 on December 31, 1995, shall be transferred to the Marion superior court established under IC 33-5.1-2-1, as added by this act, in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Marion superior court established under IC 33-5.1-2-1, as added by this act.

(c) This SECTION expires January 2, 1996.

#### **1995-16-116**

SECTION 18. (a) The municipal court judge whose term expires December 31, 1997, and who is serving as a part-time judge on that date, is entitled to continue serving as a part-time judge of the Marion superior court established under IC 33-5.1-2, as added by this act, until midnight December 31, 2000.

(b) The following apply to the part-time judge described in subsection (a):

(1) The judge shall be assigned to the criminal division of the Marion superior court.

(2) The judge may not practice criminal law in the Marion superior court, but may practice civil law in the Marion superior court.

(3) The judge may convert to full-time status at any time.

(4) The annual salary of the part-time judge shall be equal to the sum of forty percent (40%) of the salary of a full-time superior court judge. The salary of the part-time judge shall be paid on a percentage basis from the same sources providing the salary of a full-time superior court judge.

(c) If the judge serving as part-time judge of the Marion superior court stands for election in the general election held November 7, 2000, and any subsequent election, and is elected as judge of the Marion superior court, the judge may continue to serve as a part-time judge, subject to the provisions of subsection (b).

(d) If it is determined in a judicial ethics action that the judge serving as part-time judge of the Marion superior court may not engage in the practice of civil law before the Marion superior court, the cases in which the judge has entered an appearance or filed any pleadings shall be transferred to the Marion circuit court for further proceedings. The judge may continue to participate in the cases transferred to the circuit court. Cases transferred to the circuit court under this subsection have the same effect as if originally filed in or issued by the Marion circuit court.

#### **1995-17-46**

SECTION 46. (a) A cumulative fund that was established before July 1, 1995, and is listed in IC 6-1.1-41-1, as added by this act, expires only if the governing body establishing the fund terminates the fund in an ordinance or a resolution that is adopted after July 1, 1995, even if:

(1) a statute in effect before July 1, 1995; or

(2) the resolution or ordinance creating the fund;

established an expiration date for the fund.

(b) A property tax levy that was imposed for a fund described in subsection (a) may be imposed after July 1, 1995, in compliance with IC 6-1.1-41, as added by this act, even if different procedures applied to the property tax levy before July 1, 1995.

(c) This act applies to taxes first due and payable after December 31, 1995.

#### **1995-18-117**

SECTION 117. (a) Notwithstanding IC 33-5-5.1-8, as amended by this act, the three (3) persons serving as referees of the Allen superior court and the person serving as probate commissioner of the Allen superior court on June 30, 1995, are entitled to serve as the initial magistrates of the Allen superior court-civil division and the Allen superior court-criminal division.

(b) This SECTION expires July 1, 1996.

#### **1995-18-118**

SECTION 118. (a) Notwithstanding IC 33-5-10-1.5, as amended by this act, the judge of the Clark county court serving on June 30, 1995, is entitled to serve as the initial judge of the Clark superior court No. 3 for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge of the Clark superior court No. 3 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

#### **1995-18-119**

SECTION 119. (a) The county court for Clark County is abolished

as of July 1, 1995. All matters pending in the Clark county court on June 30, 1995, shall be transferred to the Clark superior court No. 3 in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Clark superior court No. 3.

(c) This SECTION expires July 2, 1995.

#### **1995-18-120**

SECTION 120. (a) Notwithstanding IC 33-5-13.1-2, as amended by this act, the judge of the Elkhart county court serving on June 30, 1995, is entitled to serve as the initial judge of Elkhart superior court No. 4 for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge of Elkhart superior court No. 4 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

#### **1995-18-121**

SECTION 121. (a) Notwithstanding IC 33-5-13.1-2, as amended by this act, the judge of the Elkhart county court, Elkhart division, serving on June 30, 1995, is entitled to serve as the initial judge of the Elkhart superior court No. 5 for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge of Elkhart superior court No. 5 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

#### **1995-18-122**

SECTION 122. (a) The county court for Elkhart County is abolished as of July 1, 1995. All matters pending in the Elkhart county court on June 30, 1995, shall be transferred to the Elkhart superior court No. 4 in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Elkhart superior court No. 4.

(c) This SECTION expires July 2, 1995.

#### **1995-18-123**

SECTION 123. (a) The county court for Elkhart County, Elkhart division, is abolished as of July 1, 1995, and all matters pending in the Elkhart county court, Elkhart division, on June 30, 1995, shall be transferred to the Elkhart superior court No. 5 in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Elkhart superior court No. 5.

(c) This SECTION expires July 2, 1995.

#### **1995-18-124**

SECTION 124. (a) Notwithstanding IC 33-5-22-1, as amended by this act, the initial election of the judge of the Hamilton superior court No. 5 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(b) This SECTION expires January 2, 1998.

#### **1995-18-125**

SECTION 125. (a) The county shall continue to pay the employees of Jasper superior court No. 2 the salary that the employees were receiving before the abolition of Jasper superior court No. 2 by this act.

(b) Payments under subsection (a) must continue for sixty (60) days after the passage of this act.

(c) This SECTION expires January 1, 1996.

#### **1995-18-126**

SECTION 126. (a) All matters pending in the Jasper superior court No. 2, on the day before the date of passage of this act shall be transferred to the Jasper circuit court in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Jasper circuit court.

(c) This SECTION expires July 1, 1995.

#### **1995-18-127**

SECTION 127. (a) The initial election of the judge of the Jennings superior court established by IC 33-5-25.9, as added by this act, is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(b) This SECTION expires January 1, 1997.

#### **1995-18-128**

SECTION 128. (a) Notwithstanding IC 33-5-24-1, as amended by this act, the initial election of the judge of the Johnson superior court No. 3 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(b) This SECTION expires January 2, 1998.

#### **1995-18-129**

SECTION 129. (a) The initial election of a judge of Kosciusko superior court No. 2 and Kosciusko superior court No. 3 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(b) This SECTION expires January 2, 1998.

#### **1995-18-130**

SECTION 130. (a) The county court of Kosciusko County is abolished as of January 1, 1997, and all matters pending in the Kosciusko county court on December 31, 1996, other than those pending in the small claims and misdemeanor division, shall be transferred to the Kosciusko superior court No. 2 in accordance with

the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Kosciusko superior court No. 2.

(c) This SECTION expires January 2, 1997.

#### **1995-18-131**

SECTION 131. (a) All matters pending in the small claims and misdemeanor division of the county court of Kosciusko County on December 31, 1996, shall be transferred to the Kosciusko superior court No. 3 in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Kosciusko superior court No. 3.

(c) This SECTION expires January 2, 1997.

#### **1995-18-132**

SECTION 132. (a) Notwithstanding IC 33-5-32.5-1, as amended by this act, the judge of the Lawrence county court serving on June 30, 1995, is entitled to serve as the initial judge of the Lawrence superior court No. 2 for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge of Lawrence superior court No. 2 is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

#### **1995-18-133**

SECTION 133. (a) The county court of Lawrence County is abolished as of July 1, 1995, and all matters pending in the Lawrence county court on June 30, 1995, shall be transferred to the Lawrence superior court No. 2 in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Lawrence superior court No. 2.

(c) This SECTION expires July 2, 1995.

#### **1995-18-134**

SECTION 134. (a) In addition to the magistrate appointed under IC 33-5-35.1-28, the judges of the Marion superior court may, by a vote of a majority of the judges, appoint four (4) full-time magistrates under IC 33-4-7.

(b) Not more than two (2) of the magistrates appointed under this SECTION may be of the same political party.

(c) The magistrates continue in office until removed by the vote of a majority of the judges of the court.

(d) A party to a superior court proceeding that has been assigned to a magistrate appointed under this section may request that an elected judge of the superior court preside over the proceeding instead of the magistrate to whom the proceeding has been assigned. Upon a request made under this subsection by either party, the magistrate to whom the

proceeding has been assigned shall transfer the proceeding back to the superior court judge.

(e) This SECTION expires December 31, 1995.

#### **1995-18-135**

SECTION 135. (a) Before June 30, 1995, the governor shall appoint a qualified individual to serve as the seventh judge of the Monroe circuit court under IC 33-4-1-53, as amended by this act, for a term beginning July 1, 1995, and ending December 31, 1998.

(b) The initial election of the judge added to the Monroe circuit court under IC 33-4-1-53, as amended by this act, is the general election to be held November 3, 1998. The person elected takes office January 1, 1999.

(c) This SECTION expires January 2, 1999.

#### **1995-18-136**

SECTION 136. (a) Notwithstanding IC 33-5-37-1, as amended by this act, the judge of the Morgan county court serving on June 30, 1995, is entitled to serve as the initial judge of Morgan superior court for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of the third judge of Morgan superior court added under IC 33-5-37-1, as amended by this act, is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

#### **1995-18-137**

SECTION 137. (a) The county court for Morgan County is abolished as of July 1, 1995, and all matters pending in the Morgan county court on June 30, 1995, shall be transferred to the Morgan superior court in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by Morgan superior court.

(c) This SECTION expires July 2, 1995.

#### **1995-18-138**

SECTION 138. (a) The judge of the Morgan superior court No. 2 (repealed by this act) serving on June 30, 1995, continues to serve as one (1) of the three (3) judges of the Morgan superior court for the duration of the judge's term.

(b) This SECTION expires July 1, 1999.

#### **1995-18-139**

SECTION 139. (a) Notwithstanding IC 33-5-38.1-2, as added by this act, the judge of the Posey county court serving on June 30, 1995, is entitled to serve as the initial judge of the Posey superior court for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge of the Posey superior court is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1998.

**1995-18-140**

SECTION 140. (a) The county court for Posey County is abolished as of July 1, 1995, and all matters pending in the Posey county court on June 30, 1995, shall be transferred to the Posey superior court in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure.

(b) These matters have the same effect as if originally filed in or issued by the Posey superior court.

(c) This SECTION expires July 2, 1995.

**1995-18-141**

SECTION 141. (a) The initial election of a judge for the Ripley superior court, established by this act, is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(b) This SECTION expires January 2, 1997.

**1995-18-142**

SECTION 142. (a) Notwithstanding IC 33-5-45.1-2, as added by this act, the judge of the Wabash county court serving on June 30, 1995, is entitled to serve as the initial judge of the Wabash superior court, established by this act, for a term beginning July 1, 1995, and ending December 31, 1996.

(b) The initial election of a judge for the Wabash superior court, established by this act, is the general election to be held November 5, 1996. The person elected takes office January 1, 1997.

(c) This SECTION expires January 2, 1997.

**1995-18-143**

SECTION 143. (a) The county court of Wabash County is abolished as of July 1, 1995, and all matters pending in the Wabash county court on June 30, 1995, shall be transferred to the Wabash superior court in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure. These matters have the same effect as if originally filed in or issued by the Wabash superior court.

(b) This SECTION expires July 2, 1995.

**1995-18-144**

SECTION 144. (a) The terms of members of the judicial nominating commission established under IC 33-5-29.5-29 who are serving on June 30, 1995, expire on June 30, 1995.

(b) This SECTION expires July 2, 1996.

**1995-18-145**

SECTION 145. For the purposes of providing educational and other services to the offices of the judges and magistrates created by this act, the state budget director, with the approval of the governor, may increase appropriations made to the Indiana judicial center from appropriations otherwise available for providing the services of the Indiana judicial center to the members of the judicial conference of

Indiana.

**1995-18-146**

SECTION 146. (a) The following sums are appropriated to the Indiana judicial center from the state general fund, for carrying out the purposes of IC 11-13-1-8, as amended by this act:

(1) For the fiscal year beginning July 1, 1995, and ending June 30, 1996:

(A) Fifty-eight thousand eight hundred ninety-one dollars (\$58,891) for personal services.

(B) Twenty thousand one hundred ninety-two dollars (\$20,192) for operating expenses.

(2) For the fiscal year beginning July 1, 1996, and ending June 30, 1997:

(A) Fifty-eight thousand eight hundred ninety-one dollars (\$58,891) for personal services.

(B) Twenty thousand one hundred ninety-two dollars (\$20,192) for operating expenses.

(b) This SECTION expires July 1, 1997.

**1995-18-147**

SECTION 147. There is appropriated to the public defense fund established under IC 33-9-14-1:

(1) three hundred fifty thousand dollars (\$350,000) beginning July 1, 1995, and ending June 30, 1996; and

(2) three hundred fifty thousand dollars (\$350,000) beginning July 1, 1996, and ending June 30, 1997;

from the state general fund for carrying out the purposes of IC 33-9-12.

**1995-18-148**

SECTION 148. (a) Notwithstanding IC 3-13-6-1, as amended by this act, a vacancy in the office of judge of a circuit court shall be filled by the governor as provided by Article 5, Section 18 of the Constitution of the State of Indiana. The person who is appointed holds the office until:

(1) the end of the unexpired term; or

(2) a successor is elected at the next general election and qualified;

whichever occurs first. The person elected at the general election following an appointment to fill the vacancy, upon being qualified, holds office for the six (6) year term prescribed by Article 7, Section 7 of the Constitution of the State of Indiana and until a successor is elected and qualified.

(b) This SECTION expires December 31, 1995.

**1995-19-5**

SECTION 5. (a) If a judgment described in IC 5-8-1-19 is against the defendant, the defendant is removed from office. Notwithstanding IC 5-8-1-19, the governor, the officer, or the entity required to fill the vacancy under IC 3-13-6-2 shall, subject to:

(1) IC 33-5-5.1-37.1;



- (2) IC 33-5-5.1-41.1;
- (3) IC 33-5-29.5-39;
- (4) IC 33-5-40-44; and
- (5) IC 33-6-1-12;

appoint or select a successor to fill the vacancy in office.

(b) This SECTION expires December 31, 1995.

#### **1995-20-20**

SECTION 20. (a) Notwithstanding P.L.277-1993(ss), SECTION 135, the two million dollars (\$2,000,000) appropriated to the Indiana gaming commission from the state general fund on July 1, 1993, shall be repaid with interest by the Indiana gaming commission to the state general fund before July 1, 1997. The interest owed by the Indiana gaming commission shall be computed by the treasurer of state and must be equal to the average amount of interest earned by the state on investments made by the treasurer during the loan period.

(b) This SECTION expires July 1, 1997.

#### **1995-25-96**

SECTION 96. Notwithstanding this act, if a school corporation has conducted the hearing described in IC 20-5-52 before the effective date of this SECTION, the school corporation may issue bonds or execute a lease for the school building construction project that was the subject of the hearing in accordance with the requirements for issuing bonds or executing a lease that were in effect before July 1, 1995.

#### **1995-25-97**

SECTION 97. The provisions of IC 6-1.1-12.1-2.5, IC 8-22-3.5-6, IC 36-7-14-17, and IC 36-7-15.1-10, all as amended by this act, concerning mailing copies of notices to taxing units apply only to official actions taken after June 30, 1995.

#### **1995-25-98**

SECTION 98. (a) Before December 31, 1995, the state board of tax commissioners shall adopt rules under IC 4-22-2 concerning the qualifications of tangible personal property as new manufacturing equipment under IC 6-1.1-12.1-1, as amended by this act, based on use to dispose of solid waste or hazardous waste by converting the solid waste or hazardous waste into energy or other useful products.

(b) This SECTION expires December 31, 1995.

#### **1995-25-99**

SECTION 99. (a) IC 6-1.1-12-28.5, as amended by this act, and IC 6-1.1-12-35, as amended by this act, apply to property taxes due and payable after December 31, 1994.

(b) Except for IC 6-1.1-12-28.5, as amended by this act, and IC 6-1.1-12-35, as amended by this act, this act applies to property taxes first due and payable after December 31, 1996.

#### **1995-25-100**

SECTION 100. IC 36-7-14-39.5, as amended by this act, applies to

property taxes first due and payable after December 31, 1995.

**1995-25-101**

SECTION 101. Notwithstanding IC 6-1.1-12-28.5, as amended by this act, the filing deadlines for applications for the 1995 assessment year must be filed by September 1, 1995.

**1995-25-102**

SECTION 102. (a) The state board of tax commissioners, with the assistance of the budget agency, shall conduct the following study and report the following to the state budget committee before November 1, 1995:

- (1) Estimate the impact of various statutory property tax deductions on the tax bases of counties, towns, cities, libraries, school corporations, townships, and special taxing districts.
- (2) Determine the impact of property tax deductions on the property tax rates of business and residential taxpayers.
- (3) Identify and analyze the various methods used to provide property tax relief in other states, including deductions, exemptions, circuit breakers, and credits.

(b) This SECTION expires December 1, 1995.

**1995-25-103**

SECTION 103. (a) IC 6-6-5-5, as amended by this act, applies only to excise taxes first due under a registration schedule that requires the vehicle to be registered after December 31, 1995. If a person registers a vehicle before January 1, 1996, for the 1996 registration year, the bureau of motor vehicles shall collect excise taxes according to the excise tax schedule under IC 6-6-5-5, as amended by this act, for the 1996 registration year.

(b) This SECTION expires December 31, 1996.

**1995-25-104**

SECTION 104. (a) This SECTION applies to each county in which there is located tangible property that was assessed for the 1994 assessment year and used to claim a deduction for the first time in 1994 under IC 6-1.1-12-28.5 as tangible property comprising a resource recovery system.

(b) Before October 1, 1995, each county treasurer shall send a tax statement to those taxpayers claiming a deduction under IC 6-1.1-12-28.5 for the 1994 assessment year that charges those taxpayers the amount of property taxes that are owed on tangible property comprising the resource recovery system, to the extent the deduction is for tangible property that was assessed in 1994 and deducted for the first time in 1994. However, the owner of such a resource recovery system may claim a deduction for the 1994 assessment year under IC 6-1.1-12.1 for new manufacturing equipment, if the designating body that would have granted the deduction adopts a resolution approving the new manufacturing equipment deduction before July 1, 1995. IC 6-1.1-12.1, as amended by this act, applies to the granting of the deduction except for the requirements that the

designation of the economic revitalization area and filing of a statement of benefits occur before the installation of the new manufacturing equipment. The amount of the additional taxes due under this subsection shall be used to reduce the gross property tax levy of each taxing unit located in a taxing district in which additional taxes are paid under this subsection.

(c) Before October 1, 1995, each county auditor shall certify to the state board of tax commissioners the amount of the additional property taxes that taxpayers in the county had to pay as described in subsection (b) and any other information required by the state board of tax commissioners to carry out this subsection. Using the amount of the additional taxes paid under subsection (b), the state board of tax commissioners shall allocate the amount among the taxing units according to the gross tax levy of each affected taxing unit. The state board of tax commissioners shall compute a reduction in each affected taxing unit's gross tax levy for property taxes first due and payable in 1996 equal to the additional taxes allocated to that taxing unit. The reduction shall be made in the same manner as a budget reduction would be computed under IC 6-1.1-18.5-17.

#### **1995-29-2**

SECTION 2. (a) Notwithstanding IC 4-4-16.5-2(e), as added by this act, the speaker of the house of representatives and the president pro tempore of the senate shall appoint the initial legislative members of the steel industry advisory commission under IC 4-4-16.5-2, as amended by this act, before January 1, 1996.

(b) The initial term of office for the four (4) individuals appointed to the steel industry advisory commission under subsection (a) is one (1) year.

(c) The initial terms begin January 1, 1996.

(d) This SECTION expires January 1, 1997.

#### **1995-31-10**

SECTION 10. The provisions of this act are severable in the manner provided by IC 1-1-1-8(b).

#### **1995-40-6**

SECTION 6. (a) Notwithstanding IC 5-13-9-2(c), the treasurer of state may make investments in securities having a final maturity or redemption date that is more than two (2) years and not more than five (5) years after the date of purchase or subscription.

(b) Not more than twenty-five percent (25%) of the total funds invested by the treasurer of state in any given year may be invested under this SECTION.

(c) The treasurer of state may invest in a security under this SECTION only if the treasurer of state is also authorized to invest in that kind of security under IC 5-13-9-2.

(d) Unless prohibited under federal law, the treasurer of state shall invest the funds of the transportation corridor fund established by IC 8-4.5-3-7 under this SECTION.

(e) Subject to this SECTION, the treasurer of state may invest other

funds held by the state under this SECTION.

(f) This SECTION expires July 1, 1997.

#### **1995-40-7**

SECTION 7. (a) An investment made by the treasurer of state under SECTION 6 of this act before July 1, 1997, remains legal after June 30, 1997.

(b) This SECTION expires July 1, 2002.

#### **1995-40-8**

SECTION 8. (a) In addition to the duties of the public finance study commission created by IC 5-13-9.1, as added by this act, before July 1, 1997, the commission shall review, evaluate, and make recommendations to the governor and the legislative council concerning the authority of the treasurer of state under SECTION 6 of this act.

(b) This SECTION expires July 2, 1997.

#### **1995-44-9**

SECTION 9. This act applies to a rulemaking action that commences after June 30, 1995.

#### **1995-48-2**

SECTION 2. (a) As used in this SECTION, "center" refers to Indiana University's Center for Urban Policy and the Environment.

(b) There is appropriated to the center fifty thousand dollars (\$50,000) from the state general fund beginning July 1, 1995, and ending June 30, 1996, to implement IC 4-23-24, as added by this act.

(c) There is appropriated to the center fifty thousand dollars (\$50,000) from the state general fund beginning July 1, 1996, and ending June 30, 1997, to implement IC 4-23-24, as added by this act.

(d) This SECTION expires July 1, 1997.

#### **1995-41-11**

SECTION 11. (a) On July 1, 1995, the chief administrative law judge of the department of environmental management shall become the director of the office of environmental adjudication.

(b) On July 1, 1995, the director shall employ the environmental hearing officers and adjudicatory staff who were employees on June 30, 1995, of the department of environmental management. Employees of the office of environmental adjudication under this subsection have the same rights, responsibilities, and benefits the employees had while working for the department of environmental management.

(c) All adjudicatory matters pending before the:

- (1) air pollution control board;
- (2) the solid waste management board;
- (3) the water pollution control board; and
- (4) the financial assurance board;

on June 30, 1995, are transferred to the office of environmental adjudication established by IC 4-21.5-7, as added by this act, on July 1, 1995. These matters have the same effect as if originally initiated

under IC 4-21.5-7, as added by this act.

(d) This SECTION expires July 2, 1995.

**1995-41-12**

SECTION 12. (a) As used in this SECTION, "committee" refers to the administrative orders and procedures study committee established by subsection (b).

(b) The administrative orders and procedures study committee is established.

(c) The committee consists of the following twelve (12) members:

(1) Two (2) members of the house of representatives, appointed by the speaker of the house of representatives. Not more than one (1) member appointed under this subdivision may be affiliated with the same political party.

(2) Two (2) members of the senate, appointed by the president pro tempore of the senate. Not more than one (1) member appointed under this subdivision may be affiliated with the same political party.

(3) The chief justice of the supreme court of Indiana or a representative designated by the chief justice.

(4) The attorney general or a representative designated by the attorney general.

(5) Two (2) chief legal counsel appointed by the governor from two (2) administrative agencies.

(6) Two (2) administrative law judges appointed by the governor.

(7) Two (2) Indiana state bar association members appointed by the governor. One (1) must be a member of the Indiana state bar association governmental practice section and one (1) must be a member of the Indiana state bar association alternative dispute resolution section.

The appointing authorities shall make appointments before July 1, 1995.

(d) A member of the committee serves until the earlier of the following:

(1) The individual resigns from the committee.

(2) The individual ceases to be a member in the chamber of the general assembly from which the individual was appointed.

(3) The individual is replaced by the appointing authority.

A vacancy occurring on the committee must be filled by the appointing authority for the unexpired term.

(e) The chairman of the legislative council, with the advice of the vice chairman of the legislative council, shall appoint from the legislative members of the committee the chair of the committee. The chair of the committee serves until the earlier of the following:

(1) The individual resigns as chair.

(2) The individual ceases to be a member of the committee.

(3) The individual is replaced as chair by the chairman of the legislative council.

(f) The committee shall study the following:

(1) Whether a centralized pool of administrative law judges should be created to serve the needs of most or all state agencies

under IC 4-21.5.

(2) If a centralized pool under subdivision (1) should be created, issues concerning the appropriate structure and authority of the pool.

(3) Whether the public interest and the interest of litigants require that procedures for state agencies under IC 4-21.5 be made more consistent by implementing a set of basic rules.

(4) Whether alternative dispute resolution would be effective to streamline and simplify administrative adjudication.

(5) If alternative dispute resolution under subdivision (4) would be effective, how best to implement alternative dispute resolution.

(g) The following apply to the operation of the committee:

(1) The committee shall meet at the call of the chair.

(2) The legislative council may provide that there is a vice chair of the committee.

(3) The chair of the committee may delegate any of the chair's powers to a vice chair of the committee.

(4) Seven (7) members of the committee constitute a quorum.

(5) The affirmative vote of seven (7) members of the committee is required for the committee to take any action. For purposes of this subdivision, meeting to take testimony is not considered official action.

(6) Each member of the committee who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(7) Each member of the committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(8) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(9) The legislative services agency shall provide staff and administrative support for the committee as directed by the legislative council.

(10) The committee shall make reports as required by the legislative council.

(11) The legislative council may establish a budget for the committee.

(12) The expenditures of the committee shall be paid from appropriations to the legislative council or the legislative services

agency.  
(h) This SECTION expires January 1, 1997.

**1995-42-27**

SECTION 27. (a) Notwithstanding IC 12-8-3-4, as amended by this act, the initial terms of the members of the family and social services committee are as follows:

- (1) Appointments for five (5) members made under IC 12-8-3-3(a)(1), as amended by this act, for a term of one (1) year.
- (2) Appointments for three (3) members made under IC 12-8-3-3(a)(1), and for members appointed under IC 12-8-3-3(a)(2) and IC 12-8-3-3(a)(3), all as amended by this act, for a term of two (2) years.
- (3) Appointments for members made under IC 12-8-3-3(a)(4) and IC 12-8-3-3(a)(5), all as amended by this act, for a term of three (3) years.

(b) The governor shall make the initial appointments to the family and social services committee before July 1, 1995. Upon expiration of a committee member's term, the governor shall immediately appoint a successor. The governor shall call to order the first meeting of the committee not later than August 1, 1995.

(c) This SECTION expires July 1, 1999.

**1995-42-28**

SECTION 28. (a) The secretary of family and social services shall conduct a study and analysis of all advisory boards, panels, and commissions under the office of the secretary of family and social services. The study and analysis must include the following information:

- (1) The total number of advisory boards, panels, and commissions under the office of the secretary of family and social services.
- (2) The specific statutory or administrative authority that created or required each advisory board, panel, and commission.
- (3) The function and duties of each advisory board, panel, and commission.
- (4) How often each advisory board, panel, and commission has met in the preceding state fiscal year and the staff and other resources utilized for the meetings.
- (5) Actions that the advisory boards, panels, and commissions have taken to carry out their duties and functions.
- (6) An evaluation submitted by each advisory board, panel, and commission of its effectiveness in fulfilling its statutory or other legal purpose.

(b) The secretary of family and social services shall prepare a report before September 1, 1995, that includes the information under subsection (a) and the secretary of family and social services' recommendations on how to consolidate the functions of the advisory boards, panels, and commissions.

(c) The secretary of family and social services shall deliver the report prepared under subsection (b) before September 1, 1995, to the

governor and the legislative council.

(d) This SECTION expires December 31, 1995.

**1995-42-29**

SECTION 29. (a) A rule that is submitted for initial publication by:

- (1) the office of the secretary of family and social services; or
- (2) a director of a division of family and social services;

before July 1, 1995, is exempt from review by the committee established under IC 12-8-3-2, as amended by this act.

(b) This SECTION expires January 1, 1996.

**1995-46-87**

SECTION 87. (a) For purposes of IC 4-2-22-37.1, the office of the secretary of family and social services may adopt emergency rules under IC 4-2-22-37.1 to make an adjustment authorized under IC 12-8-1-12.

(b) This SECTION expires July 1, 1995.

**1995-46-88**

SECTION 88. (a) Before July 1, 1995, the division of family and children shall draft a personal responsibility agreement to be signed by each participant in the aid to families with dependent children program as required under IC 12-14-2-21, as added by this act.

(b) This SECTION expires July 1, 1997.

**1995-46-89**

SECTION 89. (a) As used in this SECTION, "AFDC program" refers to the federal Aid to Families with Dependent Children Program (42 U.S.C. 601 et seq.).

(b) As used in this SECTION, "AFDC recipient" refers to a recipient under the AFDC program.

(c) As used in this SECTION, "division" refers to the division of family and children established by IC 12-13-1-1.

(d) As used in this SECTION, "financial institution" has the meaning set forth in IC 28-1-1-3.

(e) The division may establish a pilot project to provide incentives to AFDC recipients to become self-sufficient through accumulation of earnings.

(f) Notwithstanding any other law, but subject to this SECTION, the division may adopt rules under IC 4-22-2 to allow an AFDC recipient to accumulate not more than five thousand dollars (\$5,000) in savings, checking, or other similar accounts with a financial institution without a reduction of assistance under the AFDC program. The rules must require that money accumulated in an account may be used only for the following purposes:

- (1) A down payment on a home.
- (2) Educational expenses.
- (3) Capital for beginning a business.
- (4) A motor vehicle.
- (5) Any other purpose specified in the rules that serves to assist the recipient in ending dependence on the AFDC program.



(g) The rules adopted by the division under this SECTION must include guidelines concerning the following:

- (1) The number of counties selected to participate in the pilot project.
- (2) A timetable for implementing the pilot project.
- (3) Collection of data regarding the effect of the pilot project.

(h) If the division establishes a pilot project under this SECTION, the division shall prepare and submit to the legislative council a written report on the pilot project, including a comparison of the effectiveness of the pilot counties with nonpilot counties.

(i) The division may make an application to the United States Department of Health and Human Services for approval of a waiver under the AFDC program to allow implementation of the pilot project.

(j) The division may not implement the pilot project until the division is granted a waiver by the United States Department of Health and Human Services. If the division receives a waiver under this SECTION from the United States Department of Health and Human Services, the division shall:

- (1) file an affidavit with the governor attesting that the federal waiver applied for is in effect; and
- (2) implement the pilot project not more than ninety (90) days after the governor receives the affidavit.

The division shall file the affidavit under this subsection not later than five (5) days after the division is notified that the waiver is approved.

(k) This SECTION expires January 1, 2000.

#### **1995-46-90**

SECTION 90. (a) As used in this SECTION, "division" refers to the division of family and children established under IC 12-13-1-1.

(b) As used in this SECTION, "EBT pilot program" means an electronic benefit transfer pilot program.

(c) As used in this SECTION, "Secretary" means the Secretary of the United States Department of Agriculture.

(d) The division may do the following:

(1) Before January 1, 1996:

- (A) establish a procedure for selecting at least one (1) Indiana county for participation in an EBT pilot program in Indiana;
- (B) select at least one (1) Indiana county for participation in an EBT pilot program implemented by the division under subdivision (3); and
- (C) under 7 U.S.C. 2016(i) and 7 CFR 272, 274, 276, 277, and 278, make an application for approval from the Secretary for implementation by the division of an EBT pilot program in Indiana.

(2) Adopt interim written guidelines to implement an EBT pilot program approved for Indiana by the Secretary.

(3) Implement a fully functional and operating EBT pilot program to provide an alternative method of delivering food stamp assistance in at least one (1) Indiana county not more than twelve (12) months after receiving approval for an EBT pilot program in Indiana from the Secretary.

- (4) Ensure that:
  - (A) an Indiana EBT pilot program implemented under this SECTION is administered in accordance with:
    - (i) federal requirements under 7 U.S.C. 2016(i); and
    - (ii) federal regulations under 7 CFR 272, 274, 276, 277, and 278; and
  - (B) both federal and state financial participation in an EBT pilot program in Indiana follow principles of cost neutrality that do not require expenditures by either the state or the federal government beyond the ordinary costs of food stamp administration for food stamp recipients located in the county participating in the EBT pilot program.
- (5) Submit to the legislative council created under IC 2-5-1.1-1 the following, both before and after the EBT pilot program is run:
  - (A) The name of any Indiana county selected for participation in an EBT pilot program in Indiana under subsection (d)(1)(B).
  - (B) A copy of the application submitted under subsection (d)(1)(C).
  - (C) A copy of each report concerning the operation of an EBT pilot program that is required to be submitted to the Secretary under federal regulations.
  - (D) A written report containing statistics and recommendations by the division concerning the feasibility and cost effectiveness of implementing a statewide electronic benefit transfer program for the purpose of providing an alternative or replacement method of delivering food stamp assistance.
- (e) This SECTION expires January 1, 2000.

#### **1995-46-91**

SECTION 91. (a) As used in this SECTION, "secretary" refers to the secretary of the office of family and social services.

(b) The secretary shall seek the necessary waivers from the United States Department of Health and Human Services to implement IC 12-8-11, as added by this act.

(c) Notwithstanding IC 12-8-11, as added by this act, the secretary may not implement IC 12-8-11 until:

- (1) the federal waivers applied for under subsection (b) have been approved; or
- (2) a waiver is not required under federal law.

(d) Not more than five (5) days after receiving notice of approval of the necessary waivers under this SECTION, the secretary shall file affidavits with the governor's office and the budget committee attesting to the fact that the necessary waiver requests have been approved.

(e) If the secretary receives a waiver from the United States Department of Health and Human Services, the legislative council approves the terms and conditions of the waiver, and the governor and the budget committee receive the affidavits filed under subsection (d), the secretary shall implement IC 12-8-11, as added by this act, not more than ninety (90) days after the governor's office and the budget

committee receive the affidavits.

(f) This SECTION expires January 1, 2000.

#### **1995-46-92**

SECTION 92. (a) As used in this SECTION, "division" refers to the division of family and children established under IC 12-13-1-1.

(b) The division shall seek the necessary waivers from the United States Department of Health and Human Services to implement the amendments and additions to IC 12-14 by this act.

(c) Notwithstanding the amendments or additions to IC 12-14 by this act, the division may not implement the amendments or additions to IC 12-14 by this act until the division files affidavits with the governor and budget committee that attest that the federal waivers applied for under subsection (b) are in effect. The division shall file affidavits under this subsection not later than five (5) days after the division is notified that a waiver is approved.

(d) Except as provided in subsection (e), if the division receives a waiver from the United States Department of Health and Human Services, the legislative council approves the terms and conditions of the waiver, and the governor and budget committee receive the affidavits filed under subsection (c), the division shall implement the amendments and additions to IC 12-14 by this act that require a federal waiver not more than ninety (90) days after the governor and budget committee receive the affidavits.

(e) If the division receives a waiver from the United States Department of Health and Human Services, the legislative council approves the terms and conditions of the waiver, and the governor and budget committee receive the affidavits filed under subsection (c), the division of family and children shall implement IC 12-14-2-17, IC 12-14-2-18, and IC 12-14-2-19, all as added by this act.

(f) This SECTION expires January 1, 2000.

#### **1995-46-93**

SECTION 93. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) The office shall seek the necessary waivers from the United States Department of Health and Human Services to implement the amendments and additions to IC 12-15 by this act.

(c) Notwithstanding the amendments or additions to IC 12-15 by this act, the office may not implement the amendments or additions to IC 12-15 by this act until the office files affidavits with the governor and budget committee that attest that the federal waivers applied for under subsection (b) are in effect. The office shall file affidavits under this subsection not later than five (5) days after the office is notified that a waiver is approved.

(d) If the office receives a waiver from the United States Department of Health and Human Services, the legislative council approves the terms and conditions of the waiver, and the governor and budget committee receive the affidavits filed under subsection (c), the office shall implement the amendments and additions to IC 12-15 by this act not more than ninety (90) days after the governor and budget

committee receive the affidavits.

(e) This SECTION expires January 1, 2000.

#### **1995-46-94**

SECTION 94. (a) The division of family and children may develop a request for proposals to establish contracts with private entities to conduct job search and job training activities for recipients of public assistance under IC 12-14-2.

(b) This SECTION expires January 1, 1997.

#### **1995-46-95**

SECTION 95. (a) Notwithstanding IC 12-14-2-5.1, as added by this act, a person who is otherwise ineligible for AFDC assistance, except for the passage of IC 12-14-2-5.1, remains ineligible for AFDC until the state has obtained the necessary waivers required from the United States Department of Health and Human Services to place a time limit on eligibility for assistance under IC 12-14-2, as provided in IC 12-14-2-5.1, as added by this act.

(b) This SECTION expires January 1, 2000.

#### **1995-46-96**

SECTION 96. (a) As used in this SECTION, "committee" refers to the welfare reform study committee.

(b) The committee consists of twelve (12) members as follows:

(1) Six (6) members of the senate, not more than three (3) of whom may be members of the same political party, to be appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.

(2) Six (6) members of the house of representatives, not more than three (3) of whom may be members of the same political party, to be appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(c) A member appointed under this SECTION serves at the pleasure of the appointing authority. If a vacancy exists on the committee, the vacancy shall be filled by the person who made the original appointment.

(d) The chair of the legislative council shall name one (1) of the committee members as the chair of the committee. The vice chair of the legislative council shall name one (1) of the members as vice chair.

(e) The committee shall meet on the call of the chair or at other times the committee determines. The chair shall call the first meeting of the committee before July 1, 1995.

(f) Notice of the time, place, and agenda of committee meetings shall be given in the same manner as meetings of interim study committees established by the legislative council.

(g) The committee shall study all facets of the welfare system in Indiana, including the following:

(1) Determination of eligibility for assistance.

(2) Delivery of assistance.

(3) Methods to make the delivery of assistance more efficient.

- (4) Administration of and property tax levies for payment of poor relief by township trustees.
  - (5) Property tax levies and eligibility standards relating to, and services provided by the county office of family and children.
  - (6) The feasibility of redesigning the welfare system, and if so, preparing legislation for introduction in the 1996 and 1997 sessions of the general assembly, as necessary, to redesign the system of delivery of public assistance.
  - (h) The committee may study any issue related to its responsibilities.
  - (i) The committee shall operate under the direction of the legislative council. The legislative services agency shall staff the committee. The office of the secretary of family and social services shall assist the committee as directed by the chair of the committee.
  - (j) The committee shall issue:
    - (1) an interim report before November 1, 1995, before November 1, 1996, and at other times as determined by the legislative council; and
    - (2) a final report before November 1, 1997.
- Copies of each report shall be given to the governor and to members of the legislative council.
- (k) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.
  - (l) Subject to prior authorization of the legislative council, the expenses incurred by the committee in performing the duties of the committee shall be paid from the funds appropriated to the legislative council.
  - (m) This SECTION expires December 31, 1997.

#### **1995-46-97**

SECTION 97. (a) The office of the secretary of family and social services may agree to terms and conditions that are consistent with:

- (1) this act; and
  - (2) any federal guidelines or requirements.
- (b) Before accepting the terms and conditions of a waiver granted under this act, the office of the secretary of family and social services shall report the terms and conditions to the legislative council.
- (c) The legislative council shall make the final determination of whether to accept or deny the terms and conditions of a waiver described under subsection (b).
- (d) Any part of this act that requires a waiver may not be implemented until the legislative council accepts or denies the terms and conditions of waivers as described in subsection (c).
- (e) This SECTION expires January 1, 2000.

#### **1995-46-98**

SECTION 98. (a) The terms and conditions of any waivers that are obtained by the state from the United States Department of Health and Human Services or the United States Department of Agriculture before January 1, 1995:

- (1) are valid;
  - (2) comply with the legislative intent of this act;
  - (3) need not be resubmitted for approval; and
  - (4) may be implemented until the terms and conditions of any waivers requested under this act are received and affidavits are filed with the governor's office and the budget committee attesting that the necessary waiver requests have been approved.
- (b) The office of the secretary of family and social services and the office of Medicaid policy and planning shall:
- (1) provide the greatest effort possible to secure all federal waivers required under this act; and
  - (2) reapply for waivers required under this act but denied by:
    - (A) the Secretary of the United States Department of Health and Human Services;
    - (B) the Secretary of the United States Department of Agriculture; or
    - (C) both.
- (c) This SECTION expires on the date that all waivers requested under this act have been obtained.

#### **1995-46-99**

SECTION 99. (a) Before July 1, 1996, the division of family and children and the department of education shall enter into an agreement to exchange any information necessary to enable the division of family and children to monitor compliance with IC 12-14-2-17, as added by this act.

(b) The agreement under subsection (a) may not violate any provision of federal or state law regarding the confidentiality of records.

(c) This SECTION expires January 1, 2000.

#### **1995-46-100**

SECTION 100. (a) A waiver that:

- (1) is requested under authority of this act from the federal government; and
  - (2) is granted under conditions that are consistent with this act;
- is valid and supersedes any conflicting provisions of Indiana law.
- (b) This SECTION expires December 31, 2002.

#### **1995-46-101**

SECTION 101. (a) Any part of this act that requires a waiver from the United States Department of Health and Human Services or the United States Department of Agriculture does not apply to a person who first received assistance under IC 12-14 before January 1, 1994.

(b) This SECTION expires:

- (1) January 1, 1996; or
  - (2) ninety (90) days after the date that all waivers required to implement this act have been approved;
- whichever occurs later.

#### **1995-46-102**

SECTION 102. (a) Any part of this act that requires a waiver from the United States Department of Health and Human Services or the United States Department of Agriculture does not apply to a person who first received assistance under IC 12-14 after December 31, 1993.

(b) This SECTION expires:

(1) January 1, 1997; or

(2) fifteen (15) months after the date that all waivers required to implement this act have been approved;

whichever occurs later.

#### **1995-46-103**

SECTION 103. (a) Notwithstanding IC 31-3-1-6.4(h), a putative father whose consent to an adoption is implied under IC 31-3-1-6.4 is not entitled to establish paternity of the child:

(1) under IC 31-6-6.1; or

(2) by filing a paternity affidavit under IC 16-37-2-2.1.

(b) This SECTION expires June 30, 1995.

#### **1995-46-104**

SECTION 104. The provisions of this act are severable in the manner provided by IC 1-1-1-8(b).

#### **1995-47-4**

SECTION 4. (a) The director of the department of natural resources may adopt an emergency rule under the procedure set forth in IC 4-22-2-37.1 to establish a controlled hunt under IC 14-22-6-13, as added by this act.

(b) This SECTION expires July 1, 1995.

#### **1995-50-16**

SECTION 16. (a) Notwithstanding IC 5-14-3-2, as used in IC 5-14-3, "public agency" includes the Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(b) This SECTION expires December 31, 1995.

#### **1995-57-12**

SECTION 12. (a) As used in this SECTION, "motorboat" has the meaning set forth in IC 14-15-11-6, as added by this act.

(b) An individual who is less than fifteen (15) years of age, was at least fourteen (14) years of age on March 15, 1995, and does not hold a valid driver's license may operate a motorboat on public waters if the individual:

(1) has been issued an identification card by the bureau of motor vehicles under IC 9-24-16; and

(2) was issued a certificate of completion by the department of natural resources before March 15, 1995, for successfully completing a boating education course approved by the department of natural resources.

(c) This SECTION expires July 1, 1996.

### **1995-68-3**

SECTION 3. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund.

(b) The amount determined in the following STEPS shall be paid from the annuity reserve account of the fund on November 1, 1995, to any person who was a retired member (or a survivor or beneficiary of a retired member) of the fund as of July 2, 1994, and who was entitled to receive a monthly benefit on October 1, 1995. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

STEP ONE: Determine the difference between:

(A) the balance in the fund's retired teacher annuity reserve account as of June 30, 1994; and

(B) the computed liability of the annuity portion of the normal allowance for the retired members as of June 30, 1994.

STEP TWO: Multiply the STEP ONE result by ten percent (10%).

(c) The amounts distributed under subsection (b) shall be distributed to each retired member (or survivor or beneficiary of a retired member) who meets the requirements of subsection (b) in an amount determined under the following steps:

STEP ONE: Determine the sum of:

(A) the total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund of all retired members eligible to receive a portion of the distribution; plus

(B) the total number of years that all retired members who are eligible to receive a portion of the distribution have been retired.

STEP TWO: Determine the sum of:

(A) the eligible retired member's total number of years (excluding creditable service under Acts 1965, c.410, s.4) of creditable service in the fund; plus

(B) the total number of years since the eligible retired member retired from the last covered position held by the member.

STEP THREE: Divide the amount determined in STEP TWO by the amount determined in STEP ONE.

STEP FOUR: Multiply the amount determined in STEP THREE by the amount of the distribution under STEP TWO of subsection (b).

STEP FIVE: Determine the greater of fifty dollars (\$50) or the amount determined in STEP FOUR.

(d) This SECTION expires December 1, 1995.

### **1995-68-4**

SECTION 4. (a) As used in this SECTION, "fund" refers to the Indiana state teachers' retirement fund.

(b) The amount determined in the following STEPS shall be paid from the annuity reserve account of the fund on November 1, 1996, to any person who was a retired member (or a survivor or beneficiary of a retired member) of the fund as of July 2, 1995, and who was entitled to receive a monthly benefit on October 1, 1995. The amount shall be



paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

STEP ONE: Determine the difference between:

(A) the balance in the fund's retired teacher annuity reserve account as of June 30, 1995; and

(B) the computed liability of the annuity portion of the normal allowance for the retired members as of June 30, 1995.

STEP TWO: Multiply the STEP ONE result by ten percent (10%).

(c) The amounts distributed under subsection (b) shall be distributed to each retired member (or survivor or beneficiary of a retired member) who meets the requirements of subsection (b) in an amount determined under the following steps:

STEP ONE: Determine the sum of:

(A) the total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund of all retired members eligible to receive a portion of the distribution; plus

(B) the total number of years that all retired members who are eligible to receive a portion of the distribution have been retired.

STEP TWO: Determine the sum of:

(A) the eligible retired member's total number of years of creditable service (excluding creditable service under Acts 1965, c.410, s.4) in the fund; plus

(B) the total number of years since the eligible retired member retired from the last covered position held by the member.

STEP THREE: Divide the amount determined in STEP TWO by the amount determined in STEP ONE.

STEP FOUR: Multiply the amount determined in STEP THREE by the amount of the distribution under STEP TWO of subsection (b).

STEP FIVE: Determine the greater of fifty dollars (\$50) or the amount determined in STEP FOUR.

(d) This SECTION expires December 1, 1996.

#### **1995-68-5**

SECTION 5. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund, with respect to members (and survivors and beneficiaries of members) of that fund, and the excise police and conservation enforcement officers' retirement plan, with respect to members (and survivors and beneficiaries of members) of that fund.

(b) The amount determined in this SECTION shall be paid from the fund November 1, 1995, to any person who was a retired member (or survivor or beneficiary of a retired member) of the fund as of July 2, 1994, and who was entitled to receive a monthly benefit on October 1, 1995. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

(c) The greater of the following shall be paid from the fund to a retired member (or the survivor or beneficiary of a member) who meets the requirements of subsection (b):

(1) Fifty dollars (\$50).

(2) The amount determined as follows:

STEP ONE: Determine the product of twelve (12) multiplied by the pension portion (plus postretirement increases to the pension portion), provided by employer contributions, of the monthly benefit payable the month before the payment is made under this SECTION to the member or a survivor or beneficiary of the member.

STEP TWO: Multiply the amount determined in STEP ONE by the applicable percentage from the following table:

Calendar Year of Last Retirement of Member	Applicable Percentage
1950 through 1967	7%
1968 through 1975	6%
1976 through 1979	5%
1980 through 1983	4%
1984 through 1987	3%
1988 through 1994	2%

(d) This SECTION expires December 1, 1995.

#### **1995-68-6**

SECTION 6. (a) As used in this SECTION, "fund" refers to the public employees' retirement fund, with respect to members (and survivors and beneficiaries of members) of that fund, and the excise police and conservation enforcement officers' retirement plan, with respect to members (and survivors and beneficiaries of members) of that fund.

(b) The amount determined in this SECTION shall be paid from the fund November 1, 1996, to any person who was a retired member (or survivor or beneficiary of a retired member) of the fund as of July 2, 1995, and who was entitled to receive a monthly benefit on October 1, 1996. The amount shall be paid in a single check. The amount is not an increase in the pension portion of the monthly benefit.

(c) The greater of the following shall be paid from the fund to a retired member (or the survivor or beneficiary of a member) who meets the requirements of subsection (b):

(1) Fifty dollars (\$50).

(2) The amount determined as follows:

STEP ONE: Determine the product of twelve (12) multiplied by the pension portion (plus postretirement increases to the pension portion), provided by employer contributions, of the monthly benefit payable the month before the payment is made under this SECTION to the member or a survivor or beneficiary of the member.

STEP TWO: Multiply the amount determined in STEP ONE by the applicable percentage from the following table:

Calendar Year of Last Retirement of Member	Applicable Percentage
1950 through 1967	7%
1968 through 1975	6%
1976 through 1979	5%

1980 through 1983	4%
1984 through 1987	3%
1988 through 1995	2%

(d) This SECTION expires December 1, 1995.

#### **1995-70-11**

SECTION 11. (a) The fire prevention and building safety commission may adopt emergency rules under IC 22-14-5, as added by this act, to implement this act.

(b) The rules under this SECTION must be adopted under IC 4-22-2-37.1.

(c) Notwithstanding IC 4-22-2-37.1, rules adopted under this SECTION expire on the earliest of the following:

(1) The date that the rules are replaced by another emergency rule under this SECTION.

(2) The date that the rules are replaced by permanent rules adopted under IC 4-22-2.

(3) July 1, 1996.

(d) The fire prevention and building safety commission shall adopt the initial permanent rules required in IC 22-14-5-2, as added by this act, before July 1, 1996.

(e) This SECTION expires July 1, 1996.

#### **1995-70-12**

SECTION 12. There is appropriated two million dollars (\$2,000,000) from the fire and building services fund for distribution to the firefighting equipment revolving loan fund beginning July 1, 1995, and ending June 30, 1997.

#### **1995-70-13**

SECTION 13. IC 36-8-12-6, as amended by this act, applies to insurance policies that are entered into or renewed after December 31, 1995.

#### **1995-72-6**

SECTION 6. (a) The definitions in IC 5-13-4 apply throughout this SECTION.

(b) IC 5-13-9-9, as added by this act, does not apply to an investment made before July 1, 1995, by the investing officer of a political subdivision. However, this subsection shall not be interpreted to ratify an act not authorized by law before July 1, 1995.

(c) During the annual meeting of each local board of finance held in January 1996, the investing officer shall give the written report to the local board of finance required by IC 5-13-7-7, as added by this act. The report required by this SECTION must summarize the information required by IC 5-13-7-7, as added by this act, for all of the political subdivision's investments during 1995.

(d) This SECTION expires July 1, 1997.

#### **1995-82-21**

SECTION 21. (a) Except as provided in subsection (b),

IC 36-1-14.3, as added by this act, does not apply to a contract, a lease, an agreement, or an extension of a contract, a lease, or an agreement entered into before the effective date of IC 36-1-14.3, as added by this act.

(b) This subsection applies to an agreement in the nature of a public-private agreement (as defined in IC 36-1-14.3-4) that was entered into or extended before the effective date of this SECTION. The parties to an agreement described in this SECTION may enter into an addendum of the agreement to be governed by this act and to apply the provisions of this act to the agreement. If the parties enter into an addendum under this SECTION, the addendum becomes a part of the agreement to the same extent as if the addendum had been part of the original agreement.

#### **1995-82-22**

SECTION 22. (a) IC 36-1-11 does not apply to the disposal of property to a person under an agreement between the person and a political subdivision or an agency of a political subdivision under IC 36-1-14.3, as added by this act.

(b) This SECTION expires July 1, 1995.

#### **1995-82-23**

SECTION 23. (a) This SECTION applies, notwithstanding IC 36-1-9-3, until June 30, 1995.

(b) A purchasing agent who is purchasing or leasing materials must comply with this SECTION whenever the total price of each line or class of materials to be purchased annually or total annual rental payments are:

(1) at least seventy-five thousand dollars (\$75,000) if the purchasing agent is acting on behalf of:

(A) a consolidated city or second class city; or

(B) a county containing a consolidated city or second class city;

(2) at least fifty thousand dollars (\$50,000) if the purchasing agent is acting on behalf of:

(A) a third class city or town with a population of more than five thousand (5,000); or

(B) a county containing a third class city or town with a population of more than five thousand (5,000); or

(3) at least twenty-five thousand dollars (\$25,000) if the purchasing agent is acting on behalf of a political subdivision or an agency not described in subdivision (1) or (2).

(c) Except as provided by subsection (d), a purchasing agent shall prepare specifications describing the kind and quantity of the materials needed and setting forth the requirement specified in IC 36-1-9-8.5. The purchasing agent shall avoid specifications that might unduly limit competition. The specifications may include one (1) or more of the following conditions:

(1) That bids will be received and contracts let, separately, for each line or class of materials.

(2) That bids will be received and contracts let for the purchase

or lease of an unspecified number of items at a fixed price per unit.

(3) That bids will be evaluated on the basis of such factors as reliability, productivity, and the cost of maintenance and services.

(d) The following procedure may be used in lieu of subsection (c) when the purchasing agent makes a written determination that the use of subsection (c) is not feasible, and authorization is granted by the executive of the political subdivision or agency:

(1) Proposals to develop specifications shall be solicited through a request for proposals, which must include the following:

(A) The factors or criteria that will be used in evaluating the proposals.

(B) A statement concerning the relative importance of price and the other evaluation factors.

(C) A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility.

(D) A statement concerning whether discussions may be conducted with the offerors for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements.

(E) A statement that the proposal must comply with any requirement under IC 36-1-9-8.5.

(2) Notice of the request for proposals shall be given by publication in accordance with IC 5-3-1.

(3) As provided in the request for proposals, discussions may be conducted with the offerors for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements.

(4) Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals.

(5) Access to the proposals under this SECTION shall be determined under IC 36-1-14.3-11.

(e) The notice of the time and place for receiving the bids shall be given by publication in accordance with IC 5-3-1. A bidder may not be required to submit a bid before the meeting at which bids are to be received.

(f) All meetings for receiving bids must be open to the public. The bids shall be opened publicly and read aloud at the time and place designated in the notice and not before.

(g) All plans and specifications shall be kept in a place available for public inspection, which shall be specified in the notice.

(h) Except as provided in subsections (m) through (n), the purchasing agent shall, after a satisfactory bid is received, award a contract to the lowest responsible and responsive bidder for each line or class of materials required.

(i) If a contract awarded under subsection (h) is not awarded to the lowest bidder, the factors used to:

(1) determine which bidder is the lowest responsible and

responsive bidder; and

(2) justify that award;

must be stated in the minutes or memoranda at the time the award is made. A copy of the minutes or memoranda must be kept available for public inspection.

(j) In determining whether a bidder is responsive, a purchasing agent may consider the following factors:

(1) Whether the bidder has submitted a bid or quote that conforms in all material respects to the specifications.

(2) Whether the bidder has submitted a bid that complies specifically with the invitation to bid and the instructions to bidders.

(3) Whether the bidder has complied with all applicable statutes, ordinances, resolutions, or rules pertaining to the award of a public contract.

(k) In determining whether a bidder is a responsible bidder, a purchasing agent may consider the following factors:

(1) The ability and capacity of the bidder to provide the materials.

(2) The integrity, character, and reputation of the bidder.

(3) The competency and experience of the bidder.

(l) The purchasing agent may reject all bids and ask for new bids.

If no valid bids are received for an item, the purchasing agent may purchase or lease that item on the open market without further advertisement for bids.

(m) Notwithstanding subsection (h), a county may award sand, gravel, asphalt paving materials, or crushed stone contracts to more than one (1) responsible and responsive bidder if:

(1) the specifications allow for bids to be based upon service to specific geographic areas; and

(2) the contracts are awarded by geographic area.

The geographic areas do not need to be described in the specifications.

(n) A school corporation shall, after a satisfactory bid is received, award a contract to the lowest and the best responsible and responsive bidder in the opinion of the school corporation for each line or class of materials required. However, if a contract awarded under this subsection is not awarded to the lowest bidder:

(1) the factors used to justify the award must be stated in the minutes or memoranda at the time the award is made; and

(2) a copy of the minutes or memoranda must be kept available for public inspection.

(o) This SECTION expires June 30, 1995.

#### **1995-83-8**

SECTION 8. IC 6-1.1-6.5-18, as amended by this act, applies to property taxes first due and payable after December 31, 1995.

#### **1995-84-7**

SECTION 7. (a) A sales disclosure form under IC 6-1.1-5.5 may be disclosed to and used by the county land valuation commission and state board of tax commissioners for the purpose of determining land

values under IC 6-1.1-4-13.6. However, information contained in the form may not be used by the commission or state board of tax commissioners for any other purpose prohibited in P.L.63-1993, SECTION 2(a)(1) through P.L.63-1993, SECTION 2(a)(3).

(b) Agricultural land shall be assessed under IC 6-1.1-4-13 and information contained on a sales disclosure form under IC 6-1.1-5.5 may not be disclosed or used for the purpose of determining the value of agricultural land.

(c) This SECTION expires December 31, 1999.

#### **1995-84-8**

SECTION 8. (a) As used in this SECTION, "designating body" and "economic revitalization area" have the meanings set forth in IC 6-1.1-12.1-1.

(b) Notwithstanding any other law, a designating body's actions taken after February 1, 1991, and before July 1, 1995, in:

- (1) designating an economic revitalization area; or
- (2) approving a statement of benefits or making required findings of fact after the initiation of the:
  - (A) redevelopment;
  - (B) installation of new manufacturing equipment; or
  - (C) rehabilitation;

for which the person desires to claim a deduction under IC 6-1.1-12.1;

are hereby legalized and validated.

#### **1995-84-9**

SECTION 9. (a) This SECTION applies to rehabilitation or redevelopment that:

- (1) was initiated after January 1, 1993, and before January 1, 1994; and
- (2) is in a city having a population of more than four thousand five hundred (4,500) in a county having a population of more than twenty-four thousand eight hundred (24,800) but less than twenty-five thousand (25,000).

(b) The definitions in IC 6-1.1-12.1-1 apply throughout this SECTION.

(c) Notwithstanding IC 6-1.1-12.1-3, the:

- (1) designation or enlargement of an economic revitalization area;
- (2) submission of a statement of benefits; and
- (3) designating body's approval of the statement of benefits;

after the initiation of the rehabilitation or redevelopment for which a deduction is claimed under IC 6-1.1-12.1 are legalized and validated for deductions claimed for 1994 and subsequent assessment years.

#### **1995-84-10**

SECTION 10. (a) This SECTION applies to a consolidated city.

(b) The definitions in IC 6-1.1-12.1-1 apply throughout this SECTION.

(c) Notwithstanding any other law, a designating body's actions

taken after February 1, 1991, and before January 1, 1993, in designating an economic revitalization area are legalized and validated.

(d) The installation of new manufacturing equipment after February 1, 1991, is eligible for the deduction provided under IC 6-1.1-12.1 for property taxes first due and payable after December 31, 1992, as granted by resolution adopted by the designating body for the economic revitalization area.

#### **1995-84-11**

SECTION 11. (a) This SECTION applies to a city having a population of more than five thousand fifty (5,050) but less than five thousand one hundred (5,100).

(b) The definitions in IC 6-1.1-12.1-1 apply throughout this SECTION.

(c) Notwithstanding any other law, a designating body's actions taken before May 31, 1992, in designating an economic revitalization area are legalized and validated.

(d) The installation of new manufacturing equipment after March 1, 1991, is eligible for the deduction provided under IC 6-1.1-12.1 for property taxes first due and payable after December 31, 1992, as granted by resolution adopted by the designating body for the economic revitalization area.

#### **1995-84-12**

SECTION 12. (a) This SECTION applies to a taxpayer that:

(1) is located in an economic revitalization area declared under IC 6-1.1-12.1 in a city having a population of more than thirty-three thousand eight hundred fifty (33,850) but less than thirty-five thousand (35,000); and

(2) with respect to new manufacturing equipment installed by the taxpayer in the economic revitalization area after March 2, 1991, and before March 1, 1992, filed a statement of benefits under IC 6-1.1-12.1-4.5 after March 1, 1992, with the designating body for the economic revitalization area.

(b) The definitions in IC 6-1.1-12.1-1 apply throughout this SECTION.

(c) Notwithstanding IC 6-1.1-12.1-4.5, a statement of benefits is not required of a taxpayer to qualify for the economic revitalization area deduction under IC 6-1.1-12.1 with respect to the new manufacturing equipment described in subsection (a).

(d) This SECTION applies to property taxes due and payable after December 31, 1992.

#### **1995-84-13**

SECTION 13. (a) This SECTION applies to a county having a population of more than fifty thousand (50,000) and less than seventy thousand (70,000).

(b) Notwithstanding any other law, a designating body's actions taken after July 1, 1991, and before December 31, 1992, in:

(1) designating an economic revitalization area; or

(2) approving a statement of benefits;



after the initiation of the installation of new manufacturing equipment for which a person desires to claim a deduction under IC 6-1.1-12.1 are legalized and validated.

(c) Notwithstanding any other law, a designating body's actions taken after February 28, 1993, and before July 1, 1995:

- (1) designating an economic revitalization area;
- (2) approving a statement of benefits; or
- (3) retroactively approving a statement of benefits;

after initiation of the installation of new manufacturing equipment or rehabilitation or redevelopment of real property for which a person desires to claim a deduction under IC 6-1.1-12.1 are legalized and validated.

(d) Notwithstanding any other law, a designating body's action taken after February 28, 1993, and before July 1, 1995, incorporating the information required in the statement of benefits in the designating body's findings of fact made in support of designating an area as an economic revitalization area or approving a deduction under IC 6-1.1-12.1 is legalized and validated and shall be treated as if the applicant provided the statement of benefits before the final action taken by the designating body.

(e) Notwithstanding any other law, a review shall be made of timely filed deduction applications for actions legalized and validated under this SECTION for the purpose of granting deductions under IC 6-1.1-12.1 for assessment years after 1991.

#### **1995-84-14**

SECTION 14. (a) This section applies only to property that is located in:

- (1) an economic revitalization area; and
- (2) a town having a population of more than one thousand (1,000) but less than two thousand (2,000) in a county having a population of more than twenty-four thousand eight hundred (24,800) but less than twenty-five thousand (25,000).

(b) The definitions in IC 6-1.1-12.1 apply throughout this SECTION.

(c) A taxpayer that is otherwise eligible for a tax deduction under IC 6-1.1-12.1 but failed to:

- (1) designate or expand the boundaries of an economic revitalization area;
- (2) file a statement of benefits or other information with the designating body;
- (3) have a statement of benefits approved by a designating body;
- (4) have a deduction under IC 6-1.1-12.1 granted by a designating body; or
- (5) have the designating body make the findings of fact required under IC 6-1.1-12.1;

before installing new manufacturing equipment or initiating redevelopment or rehabilitation in an economic revitalization area, is entitled to a tax deduction under IC 6-1.1-12.1 on property for assessment years after 1993 to the same extent as if the taxpayer had installed new manufacturing equipment or initiated redevelopment or

rehabilitation after the actions described in subdivisions (1) through (5).

(d) The state board of tax commissioners and the county auditor in the county where the property is located shall approve the taxpayer's application for a deduction under IC 6-1.1-12.1 on the property as soon as feasible after the passage of this act.

(e) This SECTION applies only to property taxes first due and payable after 1994.

#### **1995-84-15**

SECTION 15. IC 6-1.1-10-31.4, as added by this act, applies to property taxes first due and payable after December 31, 1995.

#### **1995-84-16**

SECTION 16. (a) This SECTION applies to a city having a population of more than fifteen thousand (15,000) but less than fifteen thousand four hundred (15,400).

(b) The definitions in IC 6-1.1-12.1 apply throughout this SECTION.

(c) Notwithstanding any other law, a designating body's actions taken after July 1, 1991, and before December 31, 1992, in:

- (1) designating an economic revitalization area; or
- (2) approving a statement of benefits;

after the initiation of the installation of new manufacturing equipment for which a person desires to claim a deduction under IC 6-1.1-12.1 are legalized and validated.

(d) Notwithstanding any other law, a review shall be made of timely filed deduction applications for actions legalized and validated under this SECTION for the purpose of granting deductions under IC 6-1.1-12.1 for assessment years after 1991.

#### **1995-84-17**

SECTION 17. (a) This SECTION applies to a county having a population of more than nine thousand (9,000) but less than nine thousand five hundred (9,500).

(b) The definitions in IC 6-1.1-12.1-1 apply throughout this SECTION.

(c) Notwithstanding any other law, a designating body's actions taken before December 31, 1994, in:

- (1) designating an economic revitalization area; or
- (2) approving a statement of benefits;

after the initiation of the installation of new manufacturing equipment or after the initiation of the rehabilitation or redevelopment of real estate for which a person desires to claim a deduction under IC 6-1.1-12.1 are legalized and validated.

#### **1995-85-44**

SECTION 44. IC 6-2.1-1-4.5, as added by this act, IC 6-2.1-2-5, as amended by this act, IC 6-3-1-11, as amended by this act, and IC 6-3-1-3.5, as amended by this act, apply to taxable years that begin after December 31, 1994. IC 6-3-4-4.1, as amended by this act, applies

only to taxable years that begin after December 31, 1995.

**1995-85-45**

SECTION 45. IC 6-2.1-1-0.5 and IC 6-2.1-1-0.6, as added by this act, are to clarify and not change existing statutory law.

**1995-85-46**

SECTION 46. (a) To qualify for the deduction for new manufacturing equipment for resource recovery property that is permitted under IC 6-1.1-12.1 as provided for in HEA 1598-1995, SECTION 104, a person must:

- (1) have filed the certified statement required by IC 6-1.1-12-35 before May 16, 1994, or before an approved extension date under IC 6-1.1-12-35(d); and
- (2) file a certified deduction application and statement of benefits before August 1, 1995.

(b) This SECTION expires January 1, 1996.

**1995-85-47**

SECTION 47. (a) The provisions in this act supersede those Indiana Code sections that are amended by SEA 110-1995 or HEA 1598-1995.

(b) This SECTION expires January 1, 1996.

**1995-86-11**

SECTION 11. (a) IC 6-4.1-12-1, as amended by this act, does not apply to the determination of inheritance tax for an estate of a resident decedent if the estate was opened before January 1, 1994.

(b) This SECTION expires January 1, 1999.

**1995-87-2**

SECTION 2. This act applies to property taxes first due and payable after December 31, 1995.

**1995-89-2**

SECTION 2. (a) Notwithstanding IC 6-1.1-25-4, if the county executive makes the determination under IC 6-1.1-25-4(e) as to any interest in an oil or gas lease or separate mineral rights, the county treasurer shall certify all delinquent taxes, interest, penalties, and costs assessed under IC 6-1.1-24 to the clerk, following the procedures in IC 6-1.1-23-9. After the date of the county treasurer's certification, the certified amount is subject to collection as delinquent personal property taxes under IC 6-1.1-23. Notwithstanding IC 6-1.1-4-12.4 and IC 6-1.1-4-12.5, the assessed value of such an interest shall be zero (0) until production commences.

(b) This SECTION expires July 1, 1995.

**1995-92-5**

SECTION 5. This act applies to taxable years beginning after December 31, 1995.

**1995-93-24**

SECTION 24. (a) As used in this SECTION, "commission" refers to the commission on health care issues for the working poor established by subsection (d).

(b) As used in this SECTION, "commissioner" refers to the state health commissioner.

(c) As used in this SECTION, "department" refers to the state department of health.

(d) The commission on health care issues for the working poor is established.

(e) The purpose of the commission is to study and evaluate access to health care coverage for the working poor and identify means for providing the working poor with affordable health care coverage.

(f) The commission shall do the following:

(1) Study and analyze the demographics of the working poor, including the following:

(A) Defining the terms "working" and "poor".

(B) Determining the number of working poor in Indiana.

(C) Determining how the working poor gain access to health care.

(D) Assessing other factors relative to demographics of the working poor and how those demographics affect health care for the working poor.

(2) Identify sources of affordable health care coverage for the working poor, including an examination of the following:

(A) Whether it is feasible and if there is an interest in providing health care coverage for the working poor through the private insurance market.

(B) The role of current state and federal:

(i) programs; and

(ii) funds;

in supplementing private or public health care coverage for the working poor.

(C) The existence and availability of governmental funds for providing health care coverage for the working poor.

(D) The existence of any other funds that may be used for health care coverage for the working poor.

(E) Whether it is feasible to integrate the working poor into established or new risk pools when providing health care coverage for the working poor.

(F) The mechanisms needed to evaluate health outcomes under a plan established for providing health care coverage for the working poor.

(G) The mechanisms needed to evaluate the cost effectiveness of a plan established to provide health care coverage for the working poor.

(3) Identify in the report required under subsection (o) one (1) or more plans for providing health care coverage for the working poor.

(g) The commission consists of the following members:

(1) The commissioner, who shall serve as chair.

- (2) Two (2) members of the senate, who may not belong to the same political party.
- (3) Two (2) members of the house of representatives, who may not belong to the same political party.
- (4) Ten (10) members with expertise in the following areas:
  - (A) Information as to how the working poor gain access to health care under health care systems operating on the date this act becomes effective.
  - (B) Barriers experienced by the working poor in gaining access to the health care system.
  - (C) Health care data requirements and systems necessary for accomplishing the tasks of the commission.
  - (D) Private health insurance.
  - (E) The medical delivery system.
  - (F) The economics of the health care system.
  - (G) The primary health care system.
  - (H) The measurement of health outcomes and other quality indicators.
  - (I) Expertise the commissioner considers necessary for accomplishing the duties of the commission under this SECTION.
- (h) The members of the commission shall be appointed as follows:
  - (1) Members described in subsection (g)(2) shall be appointed by the president pro tempore of the senate.
  - (2) Members described in subsection (g)(3) shall be appointed by the speaker of the house of representatives.
  - (3) The commissioner shall appoint members described in subsection (g)(4), not more than five (5) of whom may belong to the same political party.
- (i) Eight (8) members of the commission are required for the commission to conduct official business.
- (j) Recommendations from the commission must receive the support of a majority of the voting members of the commission.
- (k) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.
- (l) Funds necessary to carry out this chapter must be allotted to the commission from funds appropriated to the department.
- (m) The department shall provide staff support to the commission.
- (n) The commission shall hold meetings at the call of the chair, with the first meeting scheduled not later than July 1, 1995.
- (o) The commission shall submit a preliminary written report to the legislative council before January 1, 1996. The commission shall submit a final written report to the legislative council before January 1, 1997, outlining a final plan or plans for providing health care coverage for the working poor.
- (p) This SECTION expires January 2, 1997.

**1995-93-25**

SECTION 25. (a) If the state department of health and the office

of Medicaid policy and planning apply for a waiver under this act, the office of Medicaid policy and planning, under the guidance of the state department of health, may agree to terms and conditions that are consistent with:

- (1) this act; and
- (2) any federal guidelines or requirements.

(b) Before accepting the terms and conditions of any waiver granted under this act, the state department of health and the office of Medicaid policy and planning shall report the terms and conditions of the waiver to the legislative council.

(c) The legislative council shall make the final determination of whether to accept or deny the terms and conditions of a waiver described under subsection (b).

(d) This SECTION expires January 1, 1999.

#### **1995-93-26**

SECTION 26. (a) A demonstration project implemented by the office of Medicaid policy and planning under this act must include as participants for each year of its operation not more than one thousand (1,000) Medicaid recipients who:

- (1) reside in Marion County; and
- (2) are eligible for and participate in the:
  - (A) risk based managed care program; or
  - (B) primary care case management program;of the Hoosier healthwise initiative of the office of Medicaid policy and planning.

(b) This SECTION expires January 1, 1999.

#### **1995-93-27**

SECTION 27. (a) IC 6-3-2-18 and IC 6-8-11, as added by this act, apply to taxable years that begin after December 31, 1995.

(b) IC 27-8-10-10, IC 27-8-15-8.5, IC 27-8-15-9, IC 27-8-15-10.5, IC 27-8-15-14, IC 27-8-15-19, IC 27-8-15-27, IC 27-8-15-28, IC 27-8-15-29, IC 27-8-15-30, IC 27-8-15-31, IC 27-8-15-32, IC 27-8-15-33, and IC 27-8-15-34, all as added or amended by this act, apply to all small employer health insurance plans issued or renewed under IC 27-8-15, as amended by this act, after December 31, 1995.

(c) IC 27-8-5-2.6, as added by this act, applies to all individual accident and sickness policies issued or renewed after December 31, 1995.

(d) IC 27-8-5-2.5, as added by this act, applies to all individual accident and sickness policies issued or renewed after December 31, 1997.

(e) Subject to IC 27-27-8-15-31.1(a), as added by this act, IC 27-8-15-16 and IC 27-8-15-31.1, as added or amended by this act, apply to all small employer health insurance plans issued or renewed under IC 27-8-15, as amended by this act, after December 31, 1997.

#### **1995-93-28**

SECTION 28. (a) As used in this SECTION, "department" refers to the Indiana department of insurance.

(b) Before July 1, 1995, the department shall begin a study of issues relating to small employer health insurance reform.

(c) The study under subsection (b) must include the following:

(1) The experience of other states that offer continuing coverage or conversion policies in the small employer market, including:

(A) the actual cost to small employers that provide continuing coverage or conversion policies;

(B) the number of employees that participate in continuing coverage or that obtain a conversion policy;

(C) the fiscal impact to each state that mandates continuing coverage or conversion policies;

(D) the average annual premium increases to small employers that provide continuing coverage; and

(E) the number of small employers that provided or assisted in providing health insurance for employees both before and after continuing coverage and conversion policies took place.

(2) The potential fiscal impact to Indiana from a program of continuing coverage and conversion policies.

(3) The average price of conversion policies offered in other states.

(4) How other states determine eligibility of employees for continuing coverage or conversion policies.

(5) The amount of recordkeeping and the time involved in complying with a program of continuing coverage or conversion policies.

(6) The potential liabilities faced by small employers who are unable to comply with the requirements of a program of continuing coverage or conversion policies.

(7) The results of any survey attempting to measure the satisfaction or dissatisfaction of employers and employees who participate in a program offering continuing coverage or conversion policies.

(8) An analysis of and recommendations regarding:

(A) rating bands;

(B) insurance premiums;

(C) benefit levels; and

(D) methods of funding the costs associated with providing continuing coverage;

that should be included in future legislation regarding continuing coverage and conversion policies.

(9) How to assist self-employed and other individuals to get and maintain health insurance.

(10) Any other topic the legislative council directs the department to study.

(d) In addition to the study topics under subsection (c), the department shall study the feasibility of using a policy issued by the Indiana comprehensive health insurance association under IC 27-8-10 to assist an individual in attaining health insurance during a period when the individual would not qualify for health insurance due to a preexisting condition.

(e) The department shall enlist the assistance of small employers, health care providers, insurance companies, and members of the board of directors of the Indiana comprehensive health insurance association in conducting the study under this SECTION.

(f) The department shall provide reports to the general assembly as follows:

(1) An interim report before December 15, 1995.

(2) A final report before December 15, 1996.

(g) The interim report under subsection (f)(1) must specifically recommend a state mechanism to pay any losses associated with continuation coverage under IC 27-7-15-31.1, as added by this act.

(h) All expenses necessary to conduct the study under this SECTION must come from the department's budget.

(i) This SECTION expires January 1, 1998.

#### **1995-94-2**

SECTION 2. This act applies to taxable years that begin after December 31, 1994.

#### **1995-95-2**

SECTION 2. This act applies to taxable years that begin after December 31, 1994.

#### **1995-96-14**

SECTION 14. (a) Notwithstanding IC 13-9.5-2-11.1, as added by this act, for the imposition of property taxes first due and payable in 1996, if a county fiscal body approves the resolution described in IC 13-9.5-2-11.1, as added by this act, before July 1, 1995, the resolution is approved for purposes of this act.

(b) This SECTION expires December 31, 1995.

#### **1995-96-15**

SECTION 15. This act applies to property taxes first due and payable after December 31, 1995.

#### **1995-96-16**

SECTION 16. This act applies to taxable years that begin after December 31, 1995.

#### **1995-98-2**

SECTION 2. This SECTION applies to county option income tax distributions made under IC 6-3.5-6 after December 31, 1995.

#### **1995-99-15**

SECTION 15. (a) This SECTION applies to a county having a population of more than one hundred sixty thousand (160,000) but less than two hundred thousand (200,000).

(b) An ordinance adopted by a county income tax council after July 1, 1992, but before July 1, 1993, to impose a county option income tax or county economic development income tax (as authorized under IC 6-3.5-7-5(g), before its amendment by this act) to finance a



government building to be subleased to the federal government or an agency or a department of the federal government under IC 36-9-13.1 (before its repeal by this act) is invalid.

#### **1995-100-2**

SECTION 2. (a) A person that has paid special fuel taxes may claim a refund for those special fuel taxes that were paid as a result of the limitation in the exemption set forth in IC 6-6-2.5-30(6) in P.L.18-1994, SECTION 26, effective July 1, 1994. A refund claim may be made before January 1, 1996. A person is not entitled to a refund if the person's claim is not filed before January 1, 1996. The department of state revenue shall establish a procedure and provide forms needed to claim a refund under this SECTION.

(b) This SECTION expires January 1, 1996.

#### **1995-101-8**

SECTION 8. (a) Except as provided in subsection (b), the following distributions shall be made under IC 6-6-10-7, as amended by this act, from the local emergency planning and right to know fund to the hazardous substances response trust fund established by IC 13-7-8.7-2:

- (1) In 1991, five percent (5%) of the money in the fund.
- (2) In 1992, six percent (6%) of the money in the fund.
- (3) In 1993, seven percent (7%) of the money in the fund.
- (4) In 1994, eight percent (8%) of the money in the fund.
- (5) In 1995, nine percent (9%) of the money in the fund.
- (6) In 1996, the balance owed the hazardous substances response trust fund.

(b) This SECTION expires on the earlier of the following:

- (1) January 1, 1997.
- (2) The date on which the total distributions to the hazardous substance response trust fund under IC 6-6-10-7(a)(2) and this SECTION equal the total amount borrowed from that fund under P.L.70-1988, SECTION 3.

#### **1995-104-5**

SECTION 5. There is appropriated to the state police department three million seven hundred fifty-six thousand one hundred six dollars (\$3,756,106) from the state general fund for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1995, and ending June 30, 1996.

#### **1995-104-6**

SECTION 6. There is appropriated to the state police department three million seven hundred fifty-six thousand one hundred seven dollars (\$3,756,107) from the motor vehicle highway account for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1995, and ending June 30, 1996.

#### **1995-104-7**

SECTION 7. There is appropriated to the state police department

one hundred seventy-three thousand eight hundred ninety-nine dollars (\$173,899) from the motor carrier regulation account for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1995, and ending June 30, 1996.

**1995-104-8**

SECTION 8. There is appropriated to the state police department four million forty-one thousand three hundred eighty-eight dollars (\$4,041,388) from the state general fund for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1996, and ending June 30, 1997.

**1995-104-9**

SECTION 9. There is appropriated to the state police department four million forty-one thousand three hundred eighty-eight dollars (\$4,041,388) from the motor vehicle highway account for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1996, and ending June 30, 1997.

**1995-104-10**

SECTION 10. There is appropriated to the state police department two hundred thirty-eight thousand eight hundred eleven dollars (\$238,811) from the motor carrier regulation account for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1996, and ending June 30, 1997.

**1995-104-11**

SECTION 11. There is appropriated to the state police pension fund six hundred ninety-seven thousand five hundred ninety-seven dollars (\$697,597) from the state general fund for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1995, and ending June 30, 1996.

**1995-104-12**

SECTION 12. There is appropriated to the state police pension fund six hundred ninety-seven thousand five hundred ninety-seven dollars (\$697,597) from the motor vehicle highway account for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1995, and ending June 30, 1996.

**1995-104-13**

SECTION 13. There is appropriated to the state police pension fund six hundred thirty-eight thousand eight hundred fifteen dollars (\$638,815) from the state general fund for carrying out the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1996, and ending June 30, 1997.

**1995-104-14**

SECTION 14. There is appropriated to the state police pension fund six hundred thirty-eight thousand eight hundred sixteen dollars (\$638,816) from the motor vehicle highway account for carrying out

the purposes of IC 10-1-1-4.5, as added by this act, in the year beginning July 1, 1996, and ending June 30, 1997.

**1995-110-36**

SECTION 36. (a) The superintendent of state police shall adopt rules under IC 4-22-2 to carry out IC 8-2.1-24-18, as added by this act. Rules adopted under this SECTION must become effective not later than July 1, 1996.

(b) This SECTION expires July 2, 1996.

**1995-116-9**

SECTION 9. (a) This SECTION applies only to the board of an airport authority established for a county having a consolidated city.

(b) An individual who on December 31, 1995, serves on the board of the airport authority under IC 8-22-3-4, before its amendment by this act, serves as a member of the board of the airport authority after December 31, 1995, under IC 8-22-3-4.1, as added by this act, unless the term of the individual as a member of the board under IC 8-22-3-4, before its amendment by this act, expires January 1, 1996. The term of office of an individual who serves on the board of the airport authority under this subsection expires when the term of office of the individual would have expired under IC 8-22-3-4, before its amendment by this act.

(c) Before January 1, 1996, the mayor of the consolidated city shall appoint a sufficient number of individuals to the board of the airport authority so that the number of members required to be appointed under IC 8-22-3-4.1(b)(1), as added by this act, have been appointed. If any members are required to be appointed by this subsection, the individuals appointed:

(1) must be appointed so that all the requirements of IC 8-22-3-4.1, as added by this act, are satisfied; and

(2) take office January 1, 1996.

(d) This SECTION expires January 1, 1997.

**1995-116-10**

SECTION 10. (a) This SECTION applies only to the board of an airport authority established for a county having a consolidated city.

(b) Before January 1, 1996, the county executive of each Indiana county described in IC 8-22-3-4.1(b)(3), as added by this act, shall each appoint one (1) member of the board as required by IC 8-22-3-4.1, as added by this act.

(c) An individual appointed under this SECTION takes office January 1, 1996.

(d) This SECTION expires January 1, 1997.

**1995-116-11**

SECTION 11. IC 8-22-3-28, as amended by this act, applies to property taxes first due and payable after December 31, 1995.

**1995-120-6**

SECTION 6. (a) The Indiana department of transportation shall

consult with members of the following groups in adopting the rules required under IC 8-23-21-4, as added by this act:

- (1) An organization that represents county highway engineers and supervisors.
- (2) An organization that represents county commissioners.
- (3) An organization that represents cities and towns.

(b) Rules adopted by the Indiana department of transportation under IC 8-23-21-4, as added by this act, must take effect not later than January 1, 1997.

(c) This SECTION expires January 2, 1997.

#### **1995-127-2**

SECTION 2. The department of transportation shall study the feasibility of implementing a signage program for rural highways in the state highway system to alert drivers to slow moving farm vehicles. The department shall report to the general assembly on or before January 1, 1996.

#### **1995-133-37**

SECTION 37. (a) The bureau of motor vehicles established under IC 9-14-1-1, and the Title IV-D agency established under IC 12-17-2-5, shall establish procedures for the exchange of information necessary to carry out the requirements of this act.

(b) The Title IV-D agency established under IC 12-17-2-5, and any entity that regulates occupations or professions under IC 25 and the professional standards board established by IC 20-1-1.4, shall establish procedures for the exchange of information necessary to carry out the requirements of this act.

(c) This SECTION expires July 1, 1996.

#### **1995-141-3**

SECTION 3. (a) As used in this SECTION, "department" refers to the Indiana department of veterans' affairs established under IC 10-5-1-3.

(b) The department shall perform the following duties to carry out the purposes of IC 10-5-25, as added by this act:

- (1) Prepare and submit the Application for Federal Assistance (SF 424) and other applicable attachments to the State Cemetery Grant Service, Department of Veterans Affairs, in accordance with 38 CFR Part 39 and 38 CFR Part 43 not later than June 20, 1995.
- (2) Perform all consultations, surveys, and tests needed to prepare the attachments required by the State Cemetery Grant Service. The consultations, surveys, and tests include:
  - (A) environmental assessments;
  - (B) development of site and design concepts;
  - (C) consultation with the director of the department of natural resources, in the director's capacity as the state historic preservation officer;
  - (D) needs assessments and site descriptions; and
  - (E) any other plans or assurances required by the State

Cemetery Grant Service.

(3) Document all consultations, surveys, and tests needed to prepare the attachments required by the State Cemetery Grant Service.

(c) The department may contract with persons or agencies to carry out the purposes of IC 10-5-25, as added by this act.

(d) This SECTION expires December 31, 1995.

#### **1995-141-4**

SECTION 4. (a) As used in this SECTION, "real property" refers to real property described in IC 10-5-25-5, as added by this act.

(b) The Indiana department of administration's state land office shall make the appropriate changes in the state land records to transfer the real property from the division of mental health to the Indiana department of veterans' affairs.

(c) The state land office shall generate documents evidencing the transfer of the real property.

(d) The state land office shall transmit a copy of the documents generated under subsection (c) to the division of mental health and to the Indiana department of veterans' affairs.

(e) The state land office shall record the transfer documents in the office of the recorder of the county in which the real property is located.

(f) IC 4-20.5-7 does not apply to the transfer of real property.

(g) This SECTION expires December 31, 1995.

#### **1995-141-3**

SECTION 3. (a) As used in this SECTION, "department" refers to the Indiana department of veterans' affairs established under IC 10-5-1-3.

(b) The department shall perform the following duties to carry out the purposes of IC 10-5-25, as added by this act:

(1) Prepare and submit the Application for Federal Assistance (SF 424) and other applicable attachments to the State Cemetery Grant Service, Department of Veterans Affairs, in accordance with 38 CFR Part 39 and 38 CFR Part 43 not later than June 20, 1995.

(2) Perform all consultations, surveys, and tests needed to prepare the attachments required by the State Cemetery Grant Service. The consultations, surveys, and tests include:

(A) environmental assessments;

(B) development of site and design concepts;

(C) consultation with the director of the department of natural resources, in the director's capacity as the state historic preservation officer;

(D) needs assessments and site descriptions; and

(E) any other plans or assurances required by the State Cemetery Grant Service.

(3) Document all consultations, surveys, and tests needed to prepare the attachments required by the State Cemetery Grant Service.

(c) The department may contract with persons or agencies to carry out the purposes of IC 10-5-25, as added by this act.

(d) This SECTION expires December 31, 1995.

#### **1995-142-33**

SECTION 33. (a) Rules adopted by the state department of health before July 1, 1995, under IC 16-41-36 (before its repeal), are considered rules of the state board of cosmetology examiners after June 30, 1995.

(b) On July 1, 1995, all records, powers, duties, and liabilities of the state department of health under IC 16-41-36 (before its repeal) are transferred to the state board of cosmetology examiners under IC 25-8-15.4, as added by this act.

(c) All:

(1) matters pending before; and

(2) judgments entered by;

the state department of health under IC 16-41-36 (before its repeal) are transferred to the state board of cosmetology examiners under IC 25-8-15.4, as added by this act.

#### **1995-148-9**

SECTION 9. IC 35-50-2-13, as added by this act, applies to offenses committed after June 30, 1995.

#### **1995-150-18**

SECTION 18. (a) As used in this SECTION, "CHOICE" refers to the community and home options to institutional care for the elderly and disabled program under IC 12-10-10.

(b) Before November 1, 1995, the division of disabilities, aging, and rehabilitative services shall conduct a survey of the CHOICE program. The survey must include the following:

(1) A determination of the number of applicants who qualify for CHOICE under IC 12-10-10-4 but who are not currently receiving services under the program.

(2) An estimate of the savings to the state, if any, incurred from expenditures allocated for the CHOICE program.

(3) A determination of the number of applicants to the CHOICE program who do not qualify for CHOICE under IC 12-10-10-4 because the applicant is only unable to perform three (3) or fewer activities of daily living. The information to be collected under this subsection must include the number of applicants who have deficits in:

(A) one (1) activity of daily living;

(B) two (2) activities of daily living; and

(C) three (3) activities of daily living.

(4) A determination of the demographics of the applicant population, including the type of deficit each applicant experiences in activities of daily living.

(5) An estimate of the funds necessary to serve the population identified in subdivision (3).

(6) An estimate of the costs and savings for the state for the

following:

(A) Medicaid waivers for home and community-based services currently used by the state.

(B) The reduction in the number of individuals using long term institutional care produced by CHOICE and Medicaid waivers, including savings for the state.

(c) The division of disabilities, aging, and rehabilitative services shall consult with:

(1) the area agencies on aging;

(2) the CHOICE board; and

(3) consumers who use services provided by CHOICE or Medicaid waivers;

to develop and implement the survey under this SECTION.

(d) By December 1, 1995, the division of disabilities, aging, and rehabilitative services shall present preliminary findings from the survey under this SECTION to the CHOICE board for public review and comment.

(e) The division of disabilities, aging, and rehabilitative services shall present the report described in subsection (a) to the legislative council before December 31, 1995.

(f) This SECTION expires July 1, 1996.

#### **1995-150-19**

SECTION 19. (a) Notwithstanding IC 12-10-10-11, as added by this act, the first report that must be prepared by the division of disabilities, aging, and rehabilitative services under IC 12-10-10-11 must be submitted to the board for the community and home options to institutionalization for the elderly and disabled before September 1, 1996.

(b) This SECTION expires January 1, 1997.

#### **1995-150-20**

SECTION 20. (a) As used in this SECTION, "CHOICE" refers to the community and home options to institutional care for the elderly and disabled program under IC 12-10-10.

(b) Before January 1, 1996, the division of disabilities, aging, and rehabilitative services shall issue a report to the general assembly that includes the following:

(1) The number and type of Medicaid waiver slots requested and granted for:

(A) 1992;

(B) 1993;

(C) 1994;

(D) 1995;

(E) 1996; and

(F) 1997.

(2) The number of individuals served by each type of Medicaid waiver:

(A) during the years listed under subsections (1)(A) through (1)(C); and

(B) for the period from January 1, 1995, through October 1,

1995.

(3) The cost per recipient served by each type of Medicaid waiver for:

(A) the years listed under subsections (1)(A) through (1)(C); and

(B) the period from January 1, 1995, through October 1, 1995.

(4) The number of individuals on the waiting list for CHOICE services on:

(A) October 1, 1992;

(B) October 1, 1993;

(C) October 1, 1994; and

(D) October 1, 1995.

(5) The average cost to the state for CHOICE services per recipient served on:

(A) October 1, 1992;

(B) October 1, 1993;

(C) October 1, 1994; and

(D) October 1, 1995.

(6) The number of individuals served by the CHOICE program during:

(A) 1992;

(B) 1993;

(C) 1994; and

(D) the period from January 1, 1995, through October 1, 1995.

(c) This SECTION expires July 1, 1996.

#### **1995-152-19**

SECTION 19. (a) The requirement to obtain a limited criminal history of a nurse aide and other unlicensed employee under IC 16-28-13, as added by this act, applies to a nurse aide and other unlicensed employee (as defined in IC 16-28-13-2, as added by this act) hired by a health facility or by a hospital based health facility (as defined in IC 16-18-2-180, as amended by this act) after June 30, 1995.

(b) This SECTION expires July 1, 1996.

#### **1995-152-20**

SECTION 20. (a) A nursing facility that meets the following conditions is allowed to request a recalculation of the facility's Medicaid rate that was effective August 1, 1994, based on more recent historical data covering a reporting period of August 1, 1993, through July 31, 1994:

(1) The most recent historical data submitted under the prior rate setting criteria used to set the August 1, 1994, Medicaid rate consists of a nine (9) month historical financial report submitted under the provisions of 470 IAC 5-4.1-5(c) for the entire nursing facility.

(2) More recent historical data reflects a higher occupancy level than the nine (9) month historical financial report submitted under the provisions of 470 IAC 5-4.1-5(c).



(b) A nursing facility that is entitled to recalculation under subsection (a) must make a written request to the office of Medicaid policy and planning within fifteen (15) days after the effective date of this SECTION to qualify for a recalculation of the facility's Medicaid rate.

(c) This SECTION expires May 28, 1995.

#### **1995-152-21**

SECTION 21. (a) Subject to IC 12-15-14-3, as added by this act, an incentive payment for a provider (as defined in IC 12-7-2-149) shall be available as an addition to the inflated allowable per resident day cost. The incentive payment is equal to fifty percent (50%) of the difference between:

(1) a provider's inflated allowable per resident day cost if the provider's inflated allowable per resident day cost is less than one hundred ten percent (110%); and

(2) one hundred ten percent (110%);

of the average inflated allowable per resident day cost of the median resident day, calculated on a statewide basis for each level of care. The incentive is limited to a maximum of ten percent (10%) of the average inflated allowable per resident day cost of the median resident day, calculated on a statewide basis for each level of care.

(b) Notwithstanding IC 4-22-2-36, the incentive described in subsection (a) is retroactive to April 1, 1995.

(c) This SECTION expires June 30, 1996.

#### **1995-152-22**

SECTION 22. (a) Subsection (b) does not apply to a person who is developmentally disabled.

(b) Before January 1, 1996, the office of Medicaid policy and planning shall provide a written report to the general assembly that details how the office plans to implement a managed care program for the noninstitutionalized disabled. This report must contain the following information:

(1) Estimates of potential savings from managed care.

(2) Options for increasing eligibility for participation of the noninstitutionalized disabled in managed care programs, including the potential cost of each option.

(c) This SECTION expires February 1, 1996.

#### **1995-152-23**

SECTION 23. (a) Not later than:

(1) June 30, 1995, the division of disability, aging, and rehabilitative services shall, in cooperation with the state department of health, adopt rules under IC 4-22-2 that:

(A) are required to implement IC 12-10-6, as amended by this act; and

(B) notwithstanding IC 4-22-2-36, are effective retroactively to March 1, 1995;

(2) June 30, 1995, the office of the secretary of family and social services shall adopt rules under IC 4-22-2 that:

- (A) are required to implement IC 12-15-14, as amended by this act; and
- (B) notwithstanding IC 4-22-2-36, are effective retroactively to April 1, 1995, or the earliest date permitted by federal statute or regulation; and
- (3) June 30, 1995, the office of Medicaid policy and planning shall submit a state plan amendment to the Health Care Financing Administration that is required to implement IC 12-15-14, as amended by this act.

**1995-152-24**

SECTION 24. (a) IC 12-14-15-1, as amended by this act, is intended to be a clarification of the law and not a substantive change in the law.

(b) This SECTION expires January 1, 1998.

**1995-153-12**

SECTION 12. (a) Notwithstanding IC 12-17-15-3, as used in IC 12-17-15, "early intervention services" means developmental services that meet the following conditions:

- (1) Are provided under public supervision.
- (2) Are provided at no cost.
- (3) Are designed to meet the developmental needs of infants and toddlers with disabilities in at least one (1) of the areas specified in IC 12-17-15-4(a)(1).
- (4) Meet all required state and federal standards.
- (5) Are provided by qualified personnel, including the following:
  - (A) Early childhood special educators, early childhood educators, and special educators.
  - (B) Speech and language pathologists and audiologists.
  - (C) Occupational therapists.
  - (D) Physical therapists.
  - (E) Psychologists.
  - (F) Social workers.
  - (G) Nurses.
  - (H) Nutritionists.
  - (I) Family therapists.
  - (J) Orientation and mobility specialists.
  - (K) Pediatricians and other physicians.

(6) To the maximum extent appropriate, are provided in natural environments, including the home and community settings in which children without disabilities participate.

(7) Are provided in conformity with an individualized family service plan adopted in accordance with 20 U.S.C. 1477.

(b) The term includes the following services:

- (1) Family training, counseling, and home visits.
- (2) Special instruction.
- (3) Speech and language pathology and audiology.
- (4) Occupational therapy.
- (5) Physical therapy.
- (6) Psychological services.

- (7) Service coordination services.
  - (8) Medical services only for diagnostic, evaluation, or consultation purposes.
  - (9) Early identification, screening, and assessment services.
  - (10) Other health services necessary for the infant or toddler to benefit from the services.
  - (11) Vision services.
  - (12) Supportive technology services.
  - (13) Transportation and related costs that are necessary to enable an infant or a toddler and the infant or toddler's family to receive early intervention services.
- (c) This SECTION expires July 1, 1997.

**1995-156-10**

SECTION 10. (a) For the state fiscal year ending June 30, 1995, a pool of disproportionate share payments not exceeding four million dollars (\$4,000,000) shall be distributed to all private psychiatric hospitals licensed under IC 12-25 that qualify for basic disproportionate share under IC 12-15-16-1(a)(1) or IC 12-15-16-1(a)(2). The funds in the pool must be distributed to the qualifying institutions in proportion to each institution's Medicaid day utilization rate (as described in IC 12-15-16-2(a)), as determined based on data from the most recent audited cost report on file with the office.

(b) This SECTION expires June 1, 1996.

**1995-156-11**

SECTION 11. Notwithstanding IC 4-22-2-36, the office of Medicaid policy and planning may implement an increase in Medicaid reimbursement for inpatient psychiatric care provided in freestanding non-state psychiatric hospitals on June 1, 1995.

**1995-166-27**

SECTION 27. After July 1, 1995, the authority (as defined in IC 13-7-8.6) shall:

- (1) accept no further applications and take no other action except as necessary to reach a final order, determination, or decision with respect to any application filed with the authority after December 31, 1994, and before July 2, 1995. An application received by the authority before July 2, 1995, is considered filed for purposes of IC 13-7-8.6 even if the application is incomplete or subsequently amended; and
- (2) certify to the governor the date on which all required action has been completed on applications under subdivision (1).

(b) IC 13-7-8.6 applies retroactively to any application filed under IC 13-7-8.6-3 before the effective date of this act.

(c) This SECTION expires July 2, 1996.

**1995-172-7**

SECTION 7. (a) This SECTION applies only to a county having a population of more than sixty thousand (60,000) but less than sixty-four thousand (64,000).

(b) The board (as defined by IC 13-9.5-1-3) of a county district (as defined by IC 13-9.5-1-7) may appropriate money from the district's solid waste management fund (established under IC 13-9.5-7-2) to the county to provide reasonable compensation to an owner of a permanent residence for diminution in the value of the permanent residence, if any, sustained solely as a result of the operations of a new landfill approved by the department of environmental management under IC 13-7-10-1(e). Any appropriation made under this subsection shall be reported to the department of environmental management.

(c) Subject to subsection (e), the county shall deposit any money received under subsection (b) in the general fund of the county. The county fiscal body shall appropriate an amount equal to the amount deposited in the county general fund under this subsection to provide reasonable compensation to an owner of a permanent residence for diminution in the value of the permanent residence, if any, sustained solely as a result of the operations of a new landfill approved by the department of environmental management under IC 13-7-10-1(e).

(d) Subject to subsections (c) and (e), the county fiscal body may appropriate money from the county general fund to provide reasonable compensation to an owner of a permanent residence for diminution in the value of the permanent residence, if any, sustained solely as a result of the operations of a new landfill approved by the department of environmental management under IC 13-7-10-1(e).

(e) An appropriation made by a county fiscal body under subsection (c) or (d) may only be made five (5) consecutive years and may not exceed one percent (1%) of the fair value of the residential improvements located on the property each of the five (5) years.

(f) This SECTION expires:

(1) December 31, 2002; or

(2) seventy-two (72) months after a permit to operate a new landfill is approved by the department of environmental management under IC 13-7-10-1(e);

whichever is later.

#### **1995-172-8**

SECTION 8. (a) Notwithstanding IC 6-6-6.6-3, this SECTION applies to a county that:

(1) has a population of not less than three hundred thousand (300,000) and not more than four hundred thousand (400,000); and

(2) contains a disposal facility subject to IC 6-6-6.6-2.

(b) For the purposes of this SECTION:

(1) "Disposal facility" has the meaning set forth in IC 6-6-6.6-1 and refers to a facility located in a county described in subsection (a).

(2) "Development area" means the area within two (2) miles of the permitted boundary of a disposal facility.

(c) An amount equal to ninety-nine thousand dollars (\$99,000) shall be remitted to each county subject to this SECTION from the hazardous substances response trust fund established under IC 13-7-8.7-2. The remittance shall be made by October 1, 1995, and

is in addition to any money the county is entitled to under IC 13-7-6-6.6-3.

(d) The county shall deposit all of the revenues received under subsection (c) in a separate account known as the host fee account for use as provided in this SECTION.

(e) The county may use the funds in the host fee account to encourage economic development of the development area including the:

- (1) creation of a plan for economic development of the development area;
- (2) recruitment of commercial and industrial facilities to the development area; and
- (3) coordination of public, private, and nonprofit organization resources to:
  - (A) attract new business to the development area; and
  - (B) increase temporary and permanent employment opportunities and private sector investment in the development area; and
  - (C) increase economic growth in the development area.

(f) After completing the plan under subsection (e)(1), in addition to the uses identified in subsections (e)(1), (e)(2), and (e)(3), the county may use funds in the host fee account to:

- (1) design and construct public improvements that:
  - (A) are located inside or outside the development area;
  - (B) support commercial and industrial development within the development area; and
- (2) purchase real estate or interests in real estate within the development area for the purpose of facilitating commercial and industrial development within the development area.

(g) Money in the host fee account at the end of a fiscal year may not be transferred out of the account.

(h) This SECTION expires January 1, 1996.

#### **1995-172-9**

SECTION 9. (a) As used in this SECTION, "landfill setback" means the distance between a designated point and the outermost perimeter of the solid waste fill area of a landfill as projected at the time of closure and approved by the department of environmental management as part of the landfill's original or modified permit.

(b) A final action by the department of environmental management or a solid waste management district to:

- (1) impose a new landfill setback; or
- (2) modify an existing landfill setback;

except as necessary to address an imminent and substantial danger to human health or the environment or except when required by federal law, will not take effect until February 1, 1996.

(c) This SECTION expires February 2, 1996.

#### **1995-184-3**

SECTION 3. (a) The natural resources commission shall prepare the initial compilation and mapping of community public water

supplies under IC 14-25-7-13(d), as amended by this act, before July 1, 1996.

(b) This SECTION expires July 2, 1996.

#### **1995-191-2**

SECTION 2. (a) Notwithstanding IC 16-20-2-6 and IC 16-20-2-10, the members of the local board of health in a county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000) who are serving as members of the local board of health on June 30, 1995, may complete the remainder of their terms.

(b) This SECTION expires July 1, 1999.

#### **1995-195-4**

SECTION 4. (a) Not later than July 1, 1995, the governor shall make the additional appointments required under IC 20-1-1.4-3, as amended by this act, to the professional standards board.

(b) Notwithstanding IC 20-1-1.4-3, as amended by this act, a member of the professional standards board on July 1, 1995, whose appointment was not in accordance with IC 20-1-1.4-3, as amended by this act, continues as a member of the board until the member's term expires.

(c) After June 30, 1995, all appointments to the professional standards board must be in accordance with IC 20-1-1.4-3, as amended by this act.

(d) This SECTION expires June 30, 2000.

#### **1995-197-11**

SECTION 11. (a) As used in this SECTION, "board" refers to the state board of cosmetology examiners.

(b) Notwithstanding IC 25-8-12.5-4, as amended by this act, an individual who submits a verified affidavit to the board before December 31, 1995, that states that the applicant has at least fifteen (15) years of experience practicing or teaching esthetics and meets the requirements of IC 25-8-12.5-4 (a)(1), IC 25-8-12.5-4(a)(2), and IC 25-8-12.5-4(a)(5) may take the examination for esthetician licensure prescribed by the board. If the applicant receives a satisfactory grade (as defined in IC 25-8-4-9) on the examination and pays the fee set forth in IC 25-8-13-11, the board shall issue the applicant an esthetician license.

(c) This SECTION expires December 31, 1995.

#### **1995-197-12**

SECTION 12. (a) Notwithstanding 515 IAC 1-1-88(g) and 515 IAC 1-1-89, a person who holds a cosmetology instructor license under IC 25-8-6 shall earn one (1) year of occupational experience for purposes of satisfying the requirements of 515 IAC 1-1-88(g) and 515 IAC 1-1-89 for each year the person holds the cosmetology instructor license.

(b) The board shall adopt rules to implement IC 20-1-1.4-7 as amended by this act, before January 1, 1996.

(c) This SECTION expires January 2, 1996.

**1995-199-2**

SECTION 2. (a) IC 20-7.5-1-6, as amended by this act, applies to contracts entered into after June 30, 1995.

(b) This SECTION expires December 31, 1996.

**1995-200-3**

SECTION 3. (a) The governor and the superintendent of public instruction shall jointly appoint the initial student members to the state standards task force as described in IC 20-10.1-4.1-2, as amended by this act, by July 1, 1995.

(b) The term of office of the members described in subsection (a) begins July 1, 1995.

(c) This SECTION expires January 1, 1996.

**1995-203-2**

SECTION 2. (a) As used in this SECTION, "department" refers to the Indiana department of education established under IC 20-1-1.1-2.

(b) The department shall develop a comprehensive plan of good citizenship instruction. The department shall submit the comprehensive plan to the general assembly by December 1, 1996.

(c) This SECTION expires July 1, 1997.

**1995-204-2**

SECTION 2. (a) The governing body of each school corporation shall adopt a written policy to implement IC 20-10.1-4-15, as added by this act, not later than August 15, 1995.

(b) This SECTION expires December 31, 1995.

**1995-210-3**

SECTION 3. (a) Notwithstanding IC 20-12-24-2, as amended by this act, a member of the board of trustees of Indiana University who is:

(1) elected by the alumni of the university; and

(2) serving on the board of trustees on June 30, 1995;

shall continue to serve on the board of trustees until the expiration of the term for which the member was elected.

(b) This SECTION expires July 1, 1998.

**1995-214-3**

SECTION 3. (a) The definitions in IC 21-6.1-1 apply throughout this SECTION.

(b) Notwithstanding IC 21-6.1-4-5, as amended by this act, and IC 21-6.1-4-13(a), as added by this act, and subject to IC 21-6.1-4-13(b), as added by this act, a member who accrued creditable service before January 1, 1995, for leave for other educational employment approved by the board:

(1) retains the creditable service accrued before January 1, 1995, resulting from the leave for other educational employment that was approved by the board; and

(2) continues to accrue creditable service after December 31, 1994, resulting from the leave for other educational employment that was approved before January 1, 1995, by the board.

**1995-225-3**

SECTION 3. (a) The department of labor shall implement a voluntary protection program (as defined in IC 22-8-1.1-1, as amended by this act) offered by the United States Occupational Safety and Health Administration as of the effective date of this SECTION within ninety (90) days after the effective date of this SECTION.

(b) This SECTION expires January 1, 1996.

**1995-228-30**

SECTION 30. (a) Notwithstanding IC 23-1-53-3(c), as amended by this act:

(1) all domestic for-profit corporations existing on January 1, 1996, that were incorporated in an even-numbered year shall be required in 1996 to file a biennial report at a time prescribed by the office of the secretary of state; and

(2) all domestic for-profit corporations existing on January 1, 1996, that were incorporated in an odd-numbered year shall be required in 1997 to file a biennial report at a time prescribed by the office of the secretary of state.

(b) This SECTION expires January 1, 1998.

**1995-236-53**

SECTION 53. (a) Notwithstanding IC 25-9-1, the provisions under IC 25-9-1 regulating semiprofessional elimination contests do not take effect until July 1, 1996.

(b) This SECTION expires July 2, 1996.

**1995-238-4**

SECTION 4. (a) Notwithstanding IC 25-6.1-3, as amended by this act, and IC 25-6.1-9, as added by this act, an individual licensed as an auctioneer under IC 25-6.1-3-2 must complete the continuing education requirement after February 28, 1996, but before February 29, 1998.

(b) Notwithstanding IC 25-6.1-3-2(b), as amended by this act, an applicant for an auctioneer license before July 1, 1996, must:

(1) be at least eighteen (18) years of age; and

(2) not have a conviction for:

(A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11; or

(B) a felony that has a direct bearing on the applicant's ability to practice competently.

(c) This SECTION expires July 1, 1998.

**1995-234-32**

SECTION 32. (a) The definitions in IC 25-7-4, as added by this act, apply throughout this SECTION.

(b) Notwithstanding IC 25-7-5, as added by this act, the initial appointments to the board shall be the former members of the state



board of barber examiners who may serve the remainder of their terms under IC 25-7-1-20 (before its repeal by this act).

(c) Notwithstanding IC 25-7, as added by this act, a person who held a valid license under IC 25-7-1 (before its repeal by this act) on June 30, 1995, is considered to have a license under IC 25-7, as added by this act, and does not need to reapply or renew the license until the time the license is due for renewal.

(d) Notwithstanding IC 25-7, as added by this act, all rules adopted under IC 25-7-1 (before its repeal by this act) and IC 25-7-2 (before its repeal by this act) before July 1, 1995, are rules of the board after June 30, 1995.

(e) Notwithstanding IC 25-7, as added by this act, after June 30, 1995, the board may continue disciplinary proceedings and enforce sanctions that were imposed by the state board of barber examiners under IC 25-7-1 (before its repeal by this act).

(f) This SECTION expires July 1, 2000.

#### **1995-239-9**

SECTION 9. (a) As used in this SECTION, "cosmetology professional" has the meaning set forth in IC 25-8-2-5.5, as added by this act.

(b) Notwithstanding IC 25-8, as amended by this act, a cosmetology professional is not required to fulfill continuing education requirements as a condition of license renewal or license restoration.

(c) This SECTION expires January 1, 1997.

#### **1995-247-27**

SECTION 27. (a) IC 26-1-8.1, as added by this act, does not affect an action or a proceeding commenced before July 1, 1996.

(b) If a security interest in a security is perfected before July 1, 1996, and the action by which the security interest was perfected would suffice to perfect a security interest under IC 26-1-8.1, as added by this act, no further action is required to continue perfection. If a security interest in a security is perfected on July 1, 1996, but the action by which the security interest was perfected would not suffice to perfect a security interest under IC 26-1-8.1, as added by this act, the security interest remains perfected for a period of four (4) months after the effective date and continues perfected thereafter if appropriate action to perfect IC 26-1-8.1, as added by this act, is taken within that period. If a security interest is perfected on July 1, 1996, and the security interest can be perfected by filing under IC 26-1-8.1, as added by this act, a financing statement signed by the secured party instead of the debtor may be filed within that period to continue perfection or thereafter to perfect.

#### **1995-250-2**

SECTION 2. (a) There is appropriated from the state general fund seventy-five thousand dollars (\$75,000) to the Indiana grain indemnity corporation established by IC 26-4-4-1, as added by this act, to be used to cover the initial expenses of the corporation and the board that are incurred under IC 26-4. The money appropriated must be repaid with

interest to the state general fund before July 1, 1998. The interest owed by the corporation shall be computed by the treasurer of state and must be equal to the average amount of interest earned by the state on the investments made by the treasurer of state during the loan period.

(b) This SECTION expires December 31, 1999.

#### **1995-251-23**

SECTION 23. (a) Notwithstanding IC 27-1-3.5-9(b), as added by this act, a partner or other person responsible for preparing a report may act in that capacity for more than seven (7) consecutive years until July 1, 1997. After that date an independent auditor who has served for more than seven (7) consecutive years shall be subject to the provisions of IC 27-1-3.5-9(b), as added by this act.

(b) This SECTION expires July 1, 1997.

#### **1995-255-16**

SECTION 16. (a) As used in this SECTION, "committee" means the interim study committee on credit insurance established by subsection (b).

(b) The interim study committee on credit insurance is established to study the following:

- (1) Sales solicitation.
- (2) Licensing requirements.
- (3) Marketing.
- (4) Underwriting practices.

The committee may study other topics assigned by the legislative council or as directed by the committee's chairperson.

(c) The committee shall have eight (8) members appointed as follows:

- (1) The president pro tempore of the senate shall appoint four (4) members from the membership of the senate, not more than two (2) of whom may be from the same political party.
- (2) The speaker of the house of representatives shall appoint four (4) members from the membership of the house of representatives, not more than two (2) of whom may be from the same political party.

(d) The chairperson of the legislative council shall designate the chairperson of the committee from the committee's membership.

(e) The committee shall:

- (1) operate under the direction of the legislative council; and
- (2) issue a final report when directed to do so by the legislative council.

(f) The legislative services agency shall provide the staff support necessary for the operation of the committee.

(g) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. The allowances specified in this subsection shall be paid by the legislative services agency from the amounts appropriated for that purpose.

(h) This SECTION expires January 1, 1996.

**1995-268-18**

SECTION 18. (a) Notwithstanding IC 31-6-2-1.1, a juvenile court has exclusive original jurisdiction, except as provided in IC 31-6-2-1.5, in the following:

- (1) Proceedings in which a child, including a child of divorced parents, is alleged to be a delinquent child (IC 31-6-4).
- (2) Proceedings in which a child, including a child of divorced parents, is alleged to be a child in need of services (IC 31-6-4).
- (3) Proceedings concerning the paternity of a child (IC 31-6-6.1).
- (4) Proceedings under the interstate compact on juveniles (IC 31-6-10).
- (5) Proceedings governing the participation of a parent, guardian, or custodian in a program of care, treatment, or rehabilitation for a child (IC 31-6-4-17).
- (6) Proceedings governing the detention of a child before a petition has been filed (IC 31-6-4-5 and IC 31-6-4-6).
- (7) Proceedings to issue a protective order (IC 31-6-7-14).
- (8) Proceedings in which a child less than sixteen (16) years of age is alleged to have committed an act that would be a misdemeanor traffic offense if committed by an adult.
- (9) Proceedings in which a child is alleged to have committed an act that would be an offense under IC 9-30-5 if committed by an adult.
- (10) Other proceedings specified by law.

(b) Except as provided in IC 33-5-29.5-4 and IC 33-5-35.1-4, IC 31-6 does not apply to the following:

- (1) A child at least sixteen (16) years of age who allegedly committed a violation of a traffic law, the violation of which is a misdemeanor, unless the violation is an offense under IC 9-30-5.
- (2) A child who is alleged to have committed a violation of a statute defining an infraction, except as provided under IC 7.1-5-7.
- (3) A child who is alleged to have committed a violation of an ordinance.
- (4) A child who:
  - (A) is alleged to have committed an act that would be a crime if committed by an adult; and
  - (B) has previously been waived under IC 31-6-2-4 to a court having misdemeanor or felony jurisdiction.

(c) A juvenile court has concurrent original jurisdiction in cases involving adults charged with the crime of:

- (1) neglect of a dependent (IC 35-46-1-4);
- (2) contributing to delinquency (IC 35-46-1-8);
- (3) violating the compulsory school attendance law (IC 20-8.1-3);
- (4) criminal confinement of a child (IC 35-42-3-3); or
- (5) interference with custody (IC 35-42-3-4).

(d) The juvenile court does not have jurisdiction over an individual for an alleged violation of:

- (1) IC 35-42-1-1 (murder);

- (2) IC 35-42-3-2 (kidnapping);
- (3) IC 35-42-4-1 (rape);
- (4) IC 35-42-4-2 (criminal deviate conduct);
- (5) IC 35-42-5-1 (robbery), if:
  - (A) it was committed while armed with a deadly weapon; or
  - (B) it results in bodily injury or serious bodily injury;
- (6) IC 35-42-5-2 (carjacking);
- (7) IC 35-45-9-3 (criminal gang activity);
- (8) IC 35-45-9-4 (criminal gang intimidation);
- (9) IC 35-47-2-1 (carrying a handgun without a license);
- (10) IC 35-47-10 (children and handguns);
- (11) IC 35-47-5-4.1 (dealing in a sawed-off shotgun); or
- (12) any offense that may be joined (under IC 35-34-1-9(a)(2)) with any crime listed in subdivisions (1) through (11);

if the individual was sixteen (16) years of age or older at the time of the alleged violation. Once such an individual has been charged with any crime listed in subdivisions (1) through (12), the court having adult criminal jurisdiction shall retain jurisdiction over the case, even if the individual pleads guilty to or is convicted of a lesser included offense. A plea of guilty to or a conviction of a lesser included offense does not vest jurisdiction in the juvenile court.

(e) A juvenile court has concurrent original jurisdiction with the probate court in the following:

- (1) Proceedings to terminate the parent-child relationship (IC 31-6-5).
- (2) Proceedings to commit children under IC 12-26.

However, the juvenile court's jurisdiction is limited as described in IC 12-26-1-4.

(f) Nothing in IC 31-6-2 prohibits a probate court from exercising its jurisdiction over guardianship of a person who is less than eighteen (18) years of age. However, if allegations in the petition for guardianship or allegations produced at guardianship proceedings indicate that the person for whom the guardianship is requested meets the definition of a child in need of services under IC 31-6-4-3, the probate court on its own motion or at the request of a party shall:

- (1) send the petition for guardianship or the record of guardianship proceedings, or both, to the prosecuting attorney or the attorney for the county office of family and children; and
- (2) direct the prosecuting attorney or the attorney for the county office of family and children to initiate an investigation and proceedings in the juvenile court to determine whether the person for whom the guardianship is requested is a child in need of services.

The probate court retains jurisdiction over the matter until the juvenile court authorizes the filing of a petition under IC 31-6-4-10.

(g) A juvenile court has concurrent original jurisdiction in cases

involving individuals who are subject to prosecution under IC 14-15-10-3.

(h) This SECTION expires December 31, 1995.

**1995-270-2**

SECTION 2. This act applies only to services provided or fees imposed after this act takes effect.

**1995-275-5**

SECTION 5. (a) A deed that has been issued by a county before July 1, 1995, for mortgaged real estate that is located in more than one (1) county is not considered invalid for lack of notice and advertisement of the sale in each county where the land is located.

(b) This SECTION expires July 1, 1998.

**1995-276-2**

SECTION 2. IC 32-8-16-1, as amended by this act, does not apply to a complaint asking for foreclosure that is filed before July 1, 1995.

**1995-278-16**

SECTION 16. IC 34-4-33-13, IC 33-1-1.5-4.5, IC 33-1-1.5-9, IC 33-1-1.5-10, IC 34-4-34-3, IC 34-4-34-4, IC 34-4-34-5, IC 34-4-34-6, IC 34-4-44.6, all as added by this act, apply to a cause of action that accrues after June 30, 1995.

**1995-279-23**

SECTION 23. (a) This SECTION applies to payments made by a county before July 1, 1995, under IC 33-13-12-7, as amended by this act.

(b) When making each payment under IC 33-13-12-7, as amended by this act, the county shall determine for each judge whether the total of:

- (1) the payment made on behalf of that judge;
- (2) previous payments made on behalf of the judge in the same calendar year; and
- (3) the state share of the judge's salary under IC 33-13-12-7, as amended by this act;

exceeds the Social Security wage base established by the federal government for that year. If the total does not exceed the Social Security wage base, the payment on behalf of that judge must also be accompanied by an amount equal to the employer's share of Social Security taxes and Medicare taxes. If the total does exceed the Social Security wage base, the part of the payment on behalf of the judge that is below the Social Security wage base must be accompanied by an amount equal to the employer's share of Social Security taxes and Medicare taxes, and the part of the payment on behalf of the judge that exceeds the Social Security wage base must be accompanied by an amount equal to the employer's share of Medicare taxes. Payments made under this subsection shall be deposited in the state general fund.

(c) This SECTION expires July 1, 1996.

**1995-282-5**

SECTION 5. (a) This SECTION applies only to a person who:

(1) became a judge after July 1, 1953, and before September 1, 1985; and

(2) is serving as a judge on July 1, 1995.

(b) As of July 1, 1995, the following apply to a person described in subsection (a):

(1) The person shall not be considered to have not made an election to participate in the 1977 benefit system.

(2) The person shall contribute to the fund under IC 33-13-9.1-3(e).

(3) The person may purchase the person's years of service that:

(A) were earned as a judge before July 1, 1995; and

(B) are not credited to the person.

(4) To purchase years of service under this SECTION, the person must pay to the fund an amount equal to contributions the person would have made during the years of service, plus interest computed at a rate of six percent (6%) per year from July 1, 1995, to the date the payment is made. The payment may be paid in a lump sum or in equal installments over ten (10) years. However, full payment for the years of service must be made before the person retires or the person's service as a judge is terminated.

(5) A payment under subdivision (4) may not exceed the maximum permissible payment under Section 415 of the Internal Revenue Code.

(6) If the person dies during a period of installment payments under subdivision (4), only the years of service that have been paid for shall be credited to the person.

(c) This SECTION expires August 1, 1995.

**1995-282-6**

SECTION 6. IC 33-13-9.1-4, IC 33-13-10.1-7, IC 33-13-10.1-9, and IC 33-13-10.1-10, all as amended by this act, apply to all benefits paid under IC 33-13-9.1 and IC 33-13-10.1 after June 30, 1995, but do not require the board of trustees of the public employees' retirement fund to recompute any benefits that were paid under IC 33-13-9.1 or IC 33-13-10.1 before July 1, 1995.

**1995-300-4**

SECTION 4. (a) Before December 31, 1995, the commissioner of the Indiana department of insurance shall send written notice containing the information contained in subsection (b) to each:

(1) title insurer who holds a valid certificate of authority issued under IC 27-7-3-6; and

(2) title insurance agent who holds a valid limited insurance representative's license issued under IC 27-1-15.5-3(a)(4).

(b) The written notice must include the following:

(1) A description and explanation of the crimes and penalties established under IC 35-43-9, as added by this act, and the restitution required under IC 35-50-5-3, as amended by this act.

(2) A statement that a violation of IC 35-43-9, as added by this act, including the commission of an offense described in IC 35-43-9, as added by this act, is a condition for the imposition of any disciplinary sanction against a title insurer under subsection (a)(1) or a title insurance agent under subsection (a)(2).

(c) This SECTION expires January 1, 1996.

**1995-304-2**

SECTION 2. IC 35-50-1-2, as amended by this act, applies to crimes committed after June 30, 1995.

**1995-311-2**

SECTION 2. (a) IC 36-1-11-6, as amended by this act, applies to law enforcement vehicles disposed of after December 31, 1995.

(b) This SECTION expires January 2, 1997.

**1995-320-45**

SECTION 45. (a) The 1500 series of IC 36-7-4, as added by this act, does not invalidate the zoning of real property to a planned unit development district that occurred before January 1, 1996.

(b) Provisions of an ordinance that:

(1) are part of an ordinance adopted under IC 36-7-4 before January 1, 1996;

(2) provide for or regulate planned unit development; and

(3) do not violate IC 36-7-4 as of December 31, 1995;

may continue to be effective until December 31, 1996.

(c) This SECTION expires January 1, 1997.

**1995-320-46**

SECTION 46. A comprehensive plan that:

(1) was approved before March 14, 1994, under IC 36-7-4-508(c) as in effect before March 14, 1994; and

(2) was not filed in the county recorder's office as required by IC 36-7-4-508(c) as in effect before March 14, 1994;

is legalized.

**1995-320-47**

SECTION 47. IC 36-7-4-1400 through IC 36-7-4-1406, as added by this act, apply only to development plans initially submitted after December 31, 1995.

**1995-321-7**

SECTION 7. (a) METRO. Notwithstanding IC 36-7-4-923, the plan commission under IC 36-7-4-923 may, if requested by a historic preservation commission created under IC 36-7-11.1-3, appoint:

(1) a member of the historic preservation commission;

(2) a member of the historic preservation staff; or

(3) a person who is an employee of the department of metropolitan development;

as a hearing officer to act in a historic area or historic zoning district

created under IC 36-7-11.1-6. The hearing officer may be removed from the hearing officer's responsibilities at any time by either the historic preservation commission or the plan commission.

(b) This SECTION expires January 1, 1996.

#### **1995-322-2**

SECTION 2. (a) This SECTION applies to a plan commission that is described in IC 36-7-4-1210.5, as added by this act.

(b) The terms of office of members of a plan commission serving on December 31, 1995, terminate at midnight on December 31, 1995.

(c) Notwithstanding IC 36-7-4-1210.5, as added by this act, members shall serve initial terms as follows:

(1) For the members appointed under IC 36-7-4-1210.5(c)(2), as added by this act:

(A) One (1) member for a two (2) year term.

(B) One (1) member for a three (3) year term.

(2) For the members appointed under IC 36-7-4-1210.5(c)(4), as added by this act:

(A) One (1) member for a one (1) year term.

(B) One (1) member for a two (2) year term.

(C) One (1) member for a three (3) year term.

(D) One (1) member for a four (4) year term.

(d) This SECTION expires January 1, 2000.

#### **1995-323-2**

SECTION 2. IC 36-7-14-39.5, as amended by this act, applies to property taxes first due and payable after December 31, 1995.

#### **1995-328-2**

SECTION 2. (a) This SECTION applies to a city having a population of more than thirty-five thousand (35,000) but less than thirty-seven thousand (37,000) in a county having a population of more than sixty-four thousand (64,000) but less than sixty-five thousand (65,000).

(b) The operation of city owned buildings or grounds operated as a golf course by a nonprofit corporation before July 1, 1995, without a lease from the city, or under a lease that was not open to public bid to lease the buildings or grounds, is legalized and validated.

#### **1995-329-1**

SECTION 1. (a) The water resources study committee is established.

(b) The committee consists of twelve (12) members of the general assembly appointed as follows:

(1) Six (6) senators appointed by the president pro tempore of the senate in consultation with the minority leader of the senate, not more than three (3) of whom may be members of the same political party.

(2) Six (6) representatives appointed by the speaker of the house of representatives in consultation with the minority leader of the house of representatives, not more than three (3) of whom may



be members of the same political party.

(c) The president pro tempore of the senate shall appoint a member of the committee to serve as chairman of the committee during the first regular session of a general assembly and as vice chairman during the second regular session. The speaker of the house of representatives shall appoint a member of the committee to serve as vice chairman during the first regular session of a general assembly and as chairman during the second regular session.

(d) The committee shall study and may make recommendations concerning all matters relating to the surface and ground water resources of Indiana, including the following:

- (1) The usage, quality, and quantity of those water resources.
- (2) Issues concerning diffused surface water, the common enemy doctrine, and runoff.

(e) The committee shall oversee the activities of the work group to produce a technical and administrative handbook for drainage projects and resolve disputes between members of the work group if necessary.

(f) The committee shall do the following:

- (1) Operate under the direction of the legislative council.
- (2) Issue reports when directed to do so by the legislative council.

(g) This SECTION expires January 1, 1997.

## **1995-329-2**

SECTION 2. (a) There is created a work group to develop a technical and administrative handbook for drainage projects.

(b) The work group consists of eleven (11) members appointed as follows:

- (1) Four (4) individuals, each of whom must be either a county surveyor or a member of a county drainage board appointed by the governor.
- (2) The commissioner of the Indiana department of environmental management or the commissioner's designee.
- (3) The director of the department of natural resources or the director's designee.
- (4) A representative of the Natural Resources Conservation Service of the United States Department of Agriculture, appointed by the state conservationist of the Natural Resources Conservation Service.
- (5) A representative of the United States Fish and Wildlife Service of the Department of the Interior, appointed by the Assistant Secretary for Fish and Wildlife and Parks.
- (6) A representative of the United States Corps of Engineers, appointed by the Regulatory Program Representative of the Ohio River Division Office of the Army Corps of Engineers.
- (7) A representative of an agricultural organization appointed by the governor.
- (8) A representative of an environmental organization appointed by the governor.

(c) The work group shall be under the direction of an individual

who has entered into a contract with the department of natural resources to do the following:

- (1) Facilitate the work group.
- (2) Conduct public meetings to hear testimony and receive written comments.
- (3) Write and edit the technical and administrative handbook for drainage projects.
- (4) Issue reports to the water resources study committee when directed to do so.
- (d) The handbook must contain at least the following:
  - (1) Technical descriptions of drainage project construction techniques.
  - (2) Best management practices for drainage projects that are protective of the environment and take into account onsite and offsite effects, cumulative effects, and downstream impacts.
  - (3) Explanations of agency permitting processes and procedures to be followed by permittees to assure compliance with all applicable statutes, rules, and regulations.
  - (4) Addresses and telephone numbers of agency employees who are responsible for permitting.
  - (5) Descriptions of compensatory measures for unavoidable environmental damage.
  - (6) Descriptions of projects that are exempt from state or federal regulation.
  - (7) A description of a process that allows clear and timely access by permit applicants to supervisors in agencies to review and discuss prospective permit conditions.
  - (8) Any other information the work group considers necessary.
- (e) Members of the work group shall attempt to reach a consensus on issues discussed by the group. If the work group is unable to resolve a dispute, the facilitator shall submit the disputed issues to the water resources study committee for resolution.
- (f) The department of natural resources shall provide clerical and administrative support to the work group and the facilitator.
- (g) Upon completion of the handbook, the department of natural resources shall make the handbook available to county surveyors, drainage boards, other agencies, and the public.
- (h) There is appropriated to the department of natural resources an amount sufficient for the purpose of entering into a contract with an individual described in subsection (c). There is appropriated to the department of natural resources fifty thousand dollars (\$50,000) to be used to pay the costs incurred under this SECTION, including the publication of the handbook for drainage projects and distribution to persons under subsection (g).
- (i) This SECTION expires January 1, 1997.

#### **1995-330-1**

SECTION 1. (a) A special committee, "the host committee", is established to work with the National Conference of State Legislatures (referred to as NCSL in this act) for purposes of helping plan and solicit funding for the 1999 annual meeting of NCSL.

(b) The host committee consists of twelve (12) members appointed as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) Two (2) individuals who are not members of the general assembly to be appointed by the president pro tempore of the senate.

(4) Two (2) individuals who are not members of the general assembly to be appointed by the speaker of the house of representatives.

(c) If a legislative member of the host committee ceases being a member of the body from which the member was appointed, the member's position on the host committee is vacant. In addition, a host committee member may be removed at any time by the appointing authority who appointed that member.

(d) If a vacancy exists on the host committee, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy.

(e) The president pro tempore of the senate and the speaker of the house of representatives shall each designate one (1) legislative member of the host committee to serve as co-chairpersons of the host committee. The president pro tempore shall designate a member of the senate and the speaker of the house shall designate a member of the house for this purpose.

(f) This SECTION expires January 1, 2000.

## **1995-330-2**

SECTION 2. (a) Notwithstanding any other law, money that is made available to the host committee from any state appropriation, or that is contributed to the host committee, may be used for any purpose or function that is associated with the 1999 annual meeting of NCSL and that has been approved by the chairpersons of the host committee. In particular, the host committee is not required to comply with IC 5-17-1 with respect to the purchase of any items for the 1999 annual meeting.

(b) A transaction is exempted from taxation under IC 6-2.5 and IC 6-9-12 if:

(1) the transaction is directly related to the 1999 annual meeting of NCSL; and

(2) the transaction is entered into by the host committee, the legislative council, the legislative services agency, NCSL, or a person that is a sponsor for or supporter of a function that is part of the published program for that meeting.

(c) The host committee may:

(1) receive and accept gifts, grants, and contributions;

(2) enter into contracts necessary or incidental to the

performance of its duties;

(3) authorize the state coordinator, if any, to execute a contract or contracts on its behalf; and

(4) do all other things necessary and proper to perform its duties.

However, the host committee shall exercise these powers in a manner that is consistent with its role as an agent for NCSL and the guidelines established by NCSL for its annual meetings.

(d) This SECTION expires January 1, 2000.

#### **1995-330-3**

SECTION 3. (a) The host committee may employ, or retain the services of, a person to serve as the state coordinator for the 1999 annual meeting of NCSL. In addition, the staff of the legislative services agency, the house of representatives, and the senate shall provide assistance to the host committee upon request.

(b) Each member of the host committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

(c) This SECTION expires January 1, 2000.

#### **1995-330-4**

SECTION 4. (a) In addition to any other sums appropriated to the Indiana supreme court for the fiscal year beginning July 1, 1996, and ending June 30, 1997, thirty thousand dollars (\$30,000) is appropriated to the Indiana supreme court from the state general fund for any purpose or function:

(1) associated with the 1996-1997 winter meeting of the Conference of Chief Justices; and

(2) that is approved by the chief justice of the Indiana supreme court.

(b) This SECTION expires July 1, 1997.

#### **1995-331-1**

SECTION 1. The Vietnam and Korean Wars memorial committee (referred to as "the committee" in this act), as established under the Indiana department of veterans affairs (referred to as "the department" in this act) by P.L.366-1987 and continued by executive order 94-8 (1994) for the purpose of arranging for a memorial to honor Indiana's veterans from the Vietnam War and the Korean War, is continued by this act. This SECTION expires January 1, 1999.

#### **1995-331-2**

SECTION 2. The committee established by SECTION 1 of this act shall arrange for a memorial honoring Indiana's Vietnam War veterans and Indiana's Korean War veterans. This SECTION expires January 1, 1999.

#### **1995-331-3**

SECTION 3. The committee established by SECTION 1 of this act, working with the Indiana department of veterans affairs shall

manage a fundraising program, which must include soliciting private donations and directing fundraising efforts toward the public, veterans groups, and matching corporate programs. This SECTION expires January 1, 1999.

#### **1995-331-4**

SECTION 4. (a) The Vietnam and Korean Wars memorial account (referred to as "the account" in this act), established by executive order 94-8, is continued.

(b) The account shall be administered by the commissioner of the Indiana department of administration. The department shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the account.

(c) The account is subject to all accounting, disclosures, and other public protections extended to other funds of public money by the budget agency, the state board of accounts, and other appropriate entities.

(d) Any expenses associated with arranging for the memorial shall be paid with money in the account. These expenses include expenses for fundraising, soliciting appropriations, reasonable expenses of the committee, and administering the account.

(e) The account constitutes a revolving fund, and no part of the account reverts to the state general fund at the close of any fiscal year. Any money remaining in the account after completion of the memorial shall be transferred to the war memorials committee and dedicated for veterans related exhibits and other support related activities.

(f) This SECTION expires January 1, 1999.

#### **1995-331-5**

SECTION 5. (a) The committee established by SECTION 1 of this act may do the following:

- (1) Solicit and accept contributions, gifts, or bequests.
- (2) Sell or arrange for the sale of publications, other items, and gifts.
- (3) Receive appropriations from the legislative branch of the state of Indiana.
- (4) Receive allocations from the executive and judicial branches of the state of Indiana.
- (5) Encourage others to assist the committee and the department in carrying out the purposes of this act.
- (6) Enter into contracts necessary or incidental to the performance of the committee's statutory duties.
- (7) Do all other things necessary and proper to perform the committee's statutory duties.

(b) All money received by the committee or the Indiana department of veterans affairs under SECTION 4(a) of this act shall be deposited in the account.

(c) The committee shall maintain for public inspection, records of its fundraising, construction, and related activities through the

commissioner of the Indiana department of administration. This SECTION expires January 1, 1999.

**1995-332-1**

SECTION 1. (a) The general assembly finds that:

- (1) the expansion of all forms of government over the past several years has been enormous; and
- (2) evidence is growing that indicates that voters do not want government to continue to expand.

(b) As used in this SECTION, "committee" refers to the cap on state spending study committee established by this SECTION.

(c) The cap on state spending study committee is established.

(d) The committee consists of the following nine (9) members of the general assembly:

- (1) The five (5) members of the commission on state tax and financing policy.
- (2) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. Not more than one (1) member appointed under this subdivision may be affiliated with the same political party.
- (3) Two (2) members of the senate appointed by the president pro tempore of the senate. Not more than one (1) member appointed under this subdivision may be affiliated with the same political party.

The appointing authorities shall make appointments before June 1, 1995.

(e) A member of the committee serves until the earliest of the following:

- (1) The individual resigns from the committee.
- (2) The individual ceases to be a member of the chamber of the general assembly from which the individual was appointed or ceases to be a member of the commission on state tax and financing policy.
- (3) The individual is replaced by the appointing authority.

A vacancy occurring on the committee must be filled by the appointing authority for the unexpired term.

(f) The chair of the commission on state tax and financing policy is the chair of the committee.

(g) The following apply to the operation of the committee:

- (1) The committee shall meet at the call of the chair.
- (2) The legislative council may provide that there is a vice chair of the committee.
- (3) The chair of the committee may delegate any of the chair's powers to a vice chair of the committee.
- (4) Five (5) members of the committee constitute a quorum.
- (5) The affirmative vote of five (5) members of the committee is required for the committee to take any official action. For purposes of this subdivision, meeting to take testimony is not considered official action.
- (6) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to members of the

general assembly serving on interim study committees established by the legislative council.

(7) The legislative services agency shall provide staff and administrative support for the committee as directed by the legislative council.

(8) The legislative council may establish a budget for the committee.

(9) The expenditures of the committee shall be paid from appropriations to the legislative council or the legislative services agency.

(h) The committee shall file a final report with the legislative council before November 1, 1995, that contains a summary of the committee's work and the committee's findings, recommendations, and proposed legislation.

(i) During the 1995 interim, the committee shall determine what kind of impact a cap on state spending would have on the growth of state government. The committee shall study and make determinations concerning the following economic issues:

(1) Measure and study state annualized revenue and expenditures for the past twenty (20) years.

(2) Determine the expansion of state government over the last twenty (20) years, including expansion in revenues, expenditures, and programs.

(3) Determine the impact that a cap on state revenues and spending would have on the future expansion of government.

(4) Measure and study Indiana's fiscal stability for the past twenty (20) years and determine how it is affected by economic changes.

(5) Measure and study whether the state budgeting process has been effective in dealing with changing economic circumstances.

(6) Measure and study Indiana's financial stability in relation to the state's cash reserves, including the counter-cyclical revenue and economic stabilization fund and whether the fund has produced the desired results of accumulating an adequate surplus to respond to Indiana's business cycles and whether the counter-cyclical revenue and economic stabilization fund should be modified.

(7) Determine how much government expansion is expected to occur in the future.

(8) Determine the state's ability to measure a program's viability and success as it relates to the budgetary process.

(9) Measure and study whether the state's revenue forecast technique could be further refined as a budgetary tool to control growth of government spending.

(10) Determine the extent to which various constitutional and statutory restrictions on appropriations would have affected any data results compiled under subdivisions (1) through (9).

(j) During the 1995 interim, if the committee determines that government expansion should be limited, the committee shall make recommendations concerning the following:

(1) Recommend a formula that will limit state government

spending and limit the expansion of state government, including:

(A) recommending exceptions to the limitations for emergency expenditure and identifying other reasons for which there should be exceptions to the limitations;

(B) defining emergency expenditures and how emergency expenditures should be financed; and

(C) sanctions for not complying with the limitations.

(2) Recommend whether there should be a formula for limiting revenues and whether certain revenue raising measures should be treated differently than others.

(3) Recommend whether state government should be constrained in mandating responsibilities that increase expenditures by local government.

(4) Recommend whether state government should be constrained in creating future expenditure liabilities.

The committee shall propose necessary legislation to implement the committee's recommendations.

(k) This SECTION expires November 2, 1995.

#### **1995-333-1**

SECTION 1. (a) As used in this SECTION, "waiver" means a home and community based services waiver described in 42 U.S.C. 1396n(c) as it:

(1) applies to persons with autism; and

(2) is in effect on July 1, 1995.

(b) The office of Medicaid policy and planning shall seek approval under 42 U.S.C. 1396 et seq. from the United States Department of Health and Human Services to amend the waiver by:

(1) eliminating any limitation on parental income; and

(2) excluding parental resources regardless of parental income; when determining waiver eligibility for individuals less than eighteen (18) years of age who are otherwise eligible to use the waiver and who, in the absence of home and community based services, would require a level of care provided in an intermediate care facility for the mentally retarded (as defined in 42 U.S.C. 1396d(d)).

(c) The office of Medicaid policy and planning shall apply before January 1, 1996, for approval from the federal Health Care Financing Administration to amend the waiver to implement this SECTION.

(d) The office of Medicaid policy and planning may not implement the exclusion of parental resources regardless of parental income as described in subsection (b) when determining eligibility for individuals less than eighteen (18) years of age until the office of Medicaid policy and planning files an affidavit with the governor that attests that the federal Health Care Financing Administration approves the changes in the waiver requested by the office of Medicaid policy and planning under this SECTION. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(e) The office of Medicaid policy and planning shall adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) This SECTION expires July 1, 2000.



**1995-334-1**

SECTION 1. (a) This SECTION applies to a township with a population of sixteen thousand five hundred seventy-eight (16,578) in a county having a population of more than forty-five thousand (45,000) but less than forty-seven thousand (47,000). Beginning with taxes due and payable in calendar year 1996, the maximum ad valorem property tax levy for the township firefighting fund as determined under IC 6-1.1-18.5-3 shall be increased by one hundred thousand dollars (\$100,000). The state board of tax commissioners may reduce the maximum ad valorem property tax levy of all other funds of the township, except for the township firefighting fund, by one hundred thousand dollars (\$100,000).

(b) This SECTION expires July 1, 1996.

**1995-334-2**

SECTION 2. (a) This SECTION applies to a township having a population of more than one thousand seven hundred fifty (1,750) but less than two thousand (2,000) that is located in a county having a population of more than one hundred seven thousand (107,000) but less than one hundred eight thousand (108,000). Notwithstanding IC 6-1.1-18.5-19 and P.L.343-1989(ss), SECTION 24, a township may appeal to the local government tax control board to adjust the township's 1996 maximum ad valorem property tax general fund and firefighting fund levies, if the respective levy amounts do not accurately reflect the township's normal spending patterns. However, an adjustment under this SECTION may not result in an increase in the combined levy for the two (2) funds.

(b) This SECTION expires July 1, 1997.

**1995-335-1**

SECTION 1. (a) The rail corridor safety committee is established.

(b) The committee consists of eight (8) members as follows:

(1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may represent the same political party.

(2) Four (4) members of the senate appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may represent the same political party.

(c) The chairman of the legislative council shall designate one (1) member of the committee to be chairman of the committee.

(d) Each member of the committee appointed under subsection (b)(1) or (b)(2) is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on legislative study committees established by the legislative council.

(e) The committee shall do the following:

(1) Study the safety of rail corridors, including corridors at overpasses, underpasses, and crossings.

(2) Review railroad safety records.

(3) Study methods of encouraging cooperation among the

railroads, local government, state government, and federal government to enhance the safety of railroads.

(4) Study other topics as assigned by the legislative council.

(f) The committee shall issue a final report to the legislative council regarding the matters under subsection (e) before November 1, 1997.

(g) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(h) Staff and administrative support shall be provided by the legislative services agency.

(i) This SECTION expires November 1, 1997.

#### **1995-336-1**

SECTION 1. (a) This SECTION applies only to counties having a population of more than thirty thousand (30,000).

(b) The definitions set forth in IC 12-7-2 apply to this SECTION.

(c) The division of family and children shall establish a pilot program for delivering AFDC benefits and serving the needs of a portion of the AFDC clients in not more than five (5) counties. The following apply to the pilot program:

(1) Two (2) AFDC client groups must be identified that include individuals who reside in comparable neighborhoods. Each group must be of approximately equal size and include at least one hundred (100) and not more than one thousand (1,000) AFDC clients.

(2) Service delivery to one (1) group must be by the county office and to the other group by a provider other than the county office.

(3) The county director, the chief executive of the private industry council, the prosecuting attorney, and the mayor of the largest city within the county must be involved in developing a request for proposals for providing the service delivery to one (1) of the groups. The request for proposals must include the following requirements:

(A) Interviewing each AFDC client and assessing the client's needs and capabilities.

(B) Referring each AFDC client to employers until the AFDC client is employed.

(C) Processing each AFDC client's application for AFDC benefits.

(D) Assuring that each AFDC client is taking all necessary actions to obtain child support.

(E) An incentive program that is expected to result in each AFDC client's independence from AFDC benefits.

(F) Payment to the provider that is conditioned upon the success of each AFDC client.

(4) The division shall annually compile data that will permit a comparison of overall costs, client satisfaction, client success, and timeliness of service delivery between the two (2) groups and report this information to the general assembly.

(5) If the cost per recipient under the pilot program is greater than the cost per recipient who is receiving services from the county office in a county where the pilot program is taking place, the pilot project may not be implemented or continued.

(d) A county office of family and children may not terminate county office caseworkers as a result of the pilot project established by this SECTION.

(e) This SECTION expires on July 1, 1998.

#### **1995-336-2**

SECTION 2. (a) This act shall not be construed to delegate the responsibility of the division of family and children under IC 12-13 to administer the Indiana state plan for the aid to families with dependent children program under IC 12-14 except to the extent permitted by a waiver granted under 42 U.S.C. 1315.

(b) This SECTION expires July 1, 1998.

#### **1995-337-1**

SECTION 1. (a) County executives are not required to comply with the precinct size limits under IC 3-11-1.5-3.

(b) This SECTION expires December 31, 1996.

#### **1995-338-1**

SECTION 1. P.L.338-1995, SECTION 1, IS AMENDED TO READ AS FOLLOWS: SECTION 1. (a) As used in this SECTION, "member" refers to a legislator whose district includes all or part of Lake County, Porter County, or LaPorte County.

(b) The Northwest Indiana commuter rail and transportation study commission is established.

(c) The commission consists of eight (8) voting members appointed as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be members of the same political party, appointed by the president pro tempore of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be members of the same political party, appointed by the speaker of the house of representatives.

(d) The president pro tempore of the senate shall select one (1) member of the commission to serve as the chairperson.

(e) The commission shall study the following issues:

(1) All aspects of commuter service needs, including commuter rail service needs in Lake County, Porter County, and LaPorte County.

(2) The feasibility of establishing improvements to commuter transportation in the Westlake County-Chicago and Valparaiso-Chicago corridors.

(3) All aspects of regional mass transportation needs in Lake County, Porter County, and LaPorte County.

(4) All aspects of road and highway transportation needs in Lake County, Porter County, and LaPorte County.

(5) Potential funding sources for all services and needs described

in subdivisions (1) through (4).

(6) The environmental and economic impacts of improved transportation systems in Lake County, Porter County, and LaPorte County.

(7) A determination of the appropriate organizational framework for addressing the short and long term funding problems of local and regional mass transportation and local road and highway improvements in Lake County, Porter County, and LaPorte County.

(8) The commission may study other topics as assigned by the legislative council or as directed by the chairperson of the commission.

(f) The commission shall submit:

(1) an interim report of the commission's findings and recommendations to the legislative council before November 1, 1996; and

(2) a final report of the commission's findings and recommendations to the legislative council before November 1, 1997.

(g) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative members on interim study committees established by the legislative council.

(h) The legislative services agency shall provide staff support to the commission.

(i) The commission shall establish a northwest Indiana commuter transportation advisory board consisting of the following members:

(1) One (1) member of the Hammond interurban study commission appointed by the Hammond interurban study commission.

(2) One (1) member of the board of trustees of any commuter transportation district established under IC 8-5-15 appointed by that board of trustees.

(3) One (1) member of the northwestern Indiana regional planning commission appointed by the northwestern Indiana regional planning commission.

(4) One (1) member of the northwest Indiana forum appointed by the northwest Indiana forum.

(5) Two (2) members appointed to represent the cities and towns served by the Westlake County-Chicago corridor appointed by the northwestern Indiana regional planning commission.

(6) Two (2) members to represent the cities and towns served by the Valparaiso-Chicago corridor to be appointed by the northwestern Indiana regional planning commission.

(7) The member of the Lake County board of commissioners appointed to the board of the northwestern Indiana regional planning commission.

(8) The member of the Porter County board of commissioners appointed to the board of the northwestern Indiana regional planning commission.

(9) The member of the LaPorte County board of commissioners

appointed to the board of the northwestern Indiana regional planning commission.

(10) The lieutenant governor or the lieutenant governor's designee. If the lieutenant governor appoints a designee, the designee must be an employee of the air quality division of the Indiana department of environmental management.

(11) One (1) representative of a municipal transit operator in Lake County, Porter County, or LaPorte County to be appointed by the Indiana transportation association.

(12) The commissioner of the Indiana department of transportation, or the commissioner's designee.

The members of the northwest Indiana commuter transportation advisory board shall provide assistance on matters relating to commuter transportation to the commission upon request of the commission.

(j) Each member of the northwest Indiana commuter transportation advisory board who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also not entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the northwest Indiana commuter transportation advisory board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) The northwest Indiana commuter transportation advisory board may:

(1) elect a chairperson from among the members of the advisory board; and

(2) meet as necessary to accomplish duties assigned to the advisory board by the commission.

(m) This SECTION expires November 2, 1997.

### **1995-339-1**

SECTION 1. (a) As used in this SECTION, "zone business" refers to a business that uses at least one (1) tax credit or exemption incentive under IC 4-4-6.1.

(b) Notwithstanding IC 4-4-6.1-2.5, a zone business that after May 31, 1994, and before August 2, 1994, tendered to the enterprise zone board created under IC 4-4-6.1-1:

(1) a verified summary of the amount of tax credits and exemptions claimed by the business in the preceding year, as required under IC 4-4-6.1-2.5(a)(1); and

(2) payment of registration fees, as required under IC 4-4-6.1-2.5(a)(2);

shall be treated as having complied with IC 4-4-6.1-2.5(a) and may not be denied any of the incentives granted to a zone business if the zone

business resubmits the verified summary and the zone business' registration fee and pays an additional civil penalty equal to the greater of twenty-five dollars (\$25) or fifteen percent (15%) of its registration fees to the enterprise zone board on or before June 1, 1995.

(c) This SECTION expires December 31, 1995.

#### **1995-340-1**

SECTION 1. (a) The following definitions apply throughout this act:

(1) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, special payments for expert service, and the employer's share of Social Security, health insurance, life insurance and retirement fund contributions.

(2) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment", unless equipment is included as a separate line item.

(3) "Equipment" includes payments for machinery, implements, tools, furniture, furnishings, vehicles, and other articles that have a calculable period of service for more than twelve (12) calendar months.

(4) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(5) "Pension fund contributions" means the state of Indiana's contribution to a specific retirement fund.

(6) "Deficiency appropriation" or "special claim" means an appropriation available during the 1994-95 fiscal year.

(7) "Fee replacement" includes repayment on indebtedness resulting from financing the cost of planning, purchasing, rehabilitation, construction, repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment to be used for academic and instructional purposes.

(8) "Year 1995-96" means the fiscal year beginning July 1, 1995, and ending June 30, 1996.

(9) "Year 1996-97" means the fiscal year beginning July 1, 1996, and ending June 30, 1997.

(10) "Biennium" means the period beginning July 1, 1995, and ending June 30, 1997.

(11) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal

corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund which is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. However derived, the money in the fund shall be used for the purpose designated by law as working capital. The whole or any part of the money withdrawn from the fund may be repaid at any time. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

## **1995-340-2**

SECTION 2. For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 9 are appropriated for the periods of time designated, from the general fund of the state of Indiana or other specifically designated funds.

## **1995-340-3**

### **SECTION 3. GENERAL GOVERNMENT**

Year

Year

	1995-96	1996-97
GENERAL GOVERNMENT		
A. LEGISLATIVE		
FOR THE GENERAL		
ASSEMBLY )		
LEGISLATORS'		
SALARIES-HOUSE		
Total Operating		
Expense	1,948,476	1,948,476
HOUSE EXPENSES		
Total Operating		
Expense	7,076,246	8,134,052
LEGISLATORS'		
SALARIES-SENATE		
Total Operating		
Expense	974,238	974,238
SENATE EXPENSES		
Total Operating		
Expense	4,906,639	5,658,510

Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance. Except as provided below, this allowance is to be paid to each member of the general assembly for every day including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened, and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the same mileage allowance as state employees for each mile necessarily traveled from the member's usual place of residence to the state capitol. However, if the member traveled by a means other than by motor vehicle, and the member's usual place of residence is more than one hundred (100) miles from the state capitol, the member is entitled to reimbursement in an amount equal to the lowest air travel cost incurred in traveling from the usual place of residence to the state capitol. During the period the general assembly is convened in regular or special session, the mileage allowance shall be limited to one (1) trip each week per member.



Any member of the general assembly who is appointed, either by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or Indiana legislative council to serve on any research, study, or survey committee or commission, or who attends any meetings authorized or convened under the auspices of the Indiana legislative council, including pre-session conferences and federal-state relations conferences, is entitled, when authorized by the legislative council, to receive the legislative business per diem allowance for each day in actual attendance at any meeting of such committee, commission, or conference. The member is also entitled to a mileage allowance, at the rate specified above, for each mile necessarily traveled from the member's usual place of residence to the state capitol, or other in-state site of the committee, commission, or conference. The per diem allowance and the mileage allowance permitted under this paragraph shall be paid from the legislative council appropriation for legislator and lay member travel unless otherwise provided for by a specific appropriation. Any member of the general assembly attending an out-of-state meeting, as authorized by the speaker of the house of representatives or the president pro tempore of the senate, is entitled to receive:

- (1) the legislative business per diem allowance for each day the member is engaged in approved out-of-state travel; and
- (2) reimbursement for traveling expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the legislative council.

Notwithstanding the provisions of this or any other statute, the legislative council may adopt, by resolution, travel policies and procedures that apply only to members of the general assembly or to the staffs of the house of representatives, senate, and legislative services agency, or both members and staffs. The legislative council may apply these travel policies and procedures to lay members serving on research, study, or survey committees or commissions that are under the jurisdiction of the legislative council. Notwithstanding any other law, rule, or policy, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that until the legislative council adopts travel policies and procedures the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the

legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there are hereby appropriated such further sums as may be necessary to pay such expenses.

#### LEGISLATORS'

##### SUBSISTENCE

###### House Other

###### Operating

###### Expense

1,471,295

1,425,373

###### Senate Other

###### Operating

###### Expense

567,621

468,304

Each member of the general assembly is entitled to a subsistence allowance of twenty-five dollars (\$25) per day for:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day and before the second session day of each regular session, and any day during that time period that the general assembly is convened in special session. The subsistence allowance is payable from the appropriations for legislators' subsistence.

The leadership of the senate and house are entitled to the following amounts annually in addition to the subsistence allowance: Officers of the senate: president pro tempore, six thousand five hundred dollars (\$6,500); assistant president pro tempore, two thousand five hundred dollars (\$2,500); majority floor leader, five thousand dollars (\$5,000); assistant majority floor leader, one thousand dollars (\$1,000); majority caucus chairman, five thousand dollars (\$5,000); assistant majority caucus chairman, one thousand dollars (\$1,000); finance committee chairman, five thousand dollars (\$5,000); budget subcommittee chairman, four thousand dollars (\$4,000); majority whip, one thousand five hundred dollars (\$1,500); assistant majority whip, five hundred dollars (\$500); minority floor leader, five thousand five hundred dollars (\$5,500); minority caucus chairman, four thousand five hundred dollars (\$4,500); minority assistant floor leader, four thousand five hundred dollars (\$4,500); finance committee ranking minority member, three thousand five hundred dollars (\$3,500); and minority whip, one thousand five hundred dollars (\$1,500).

Officers of the house of representatives are entitled to the following amounts in addition to the subsistence allowance: speaker of the house, six thousand five hundred dollars (\$6,500); speaker pro tempore, five thousand dollars (\$5,000); deputy speaker pro tempore, five hundred dollars (\$500); majority floor leader, five thousand dollars (\$5,000); majority caucus chairman, five thousand dollars (\$5,000); assistant

majority caucus chairman, one thousand dollars (\$1,000); ways and means committee chairman, five thousand dollars (\$5,000); ways and means committee ranking majority member, three thousand dollars (\$3,000); budget subcommittee chairman, three thousand dollars (\$3,000); majority whip, three thousand five hundred dollars (\$3,500); assistant majority whip, one thousand dollars (\$1,000); assistant majority floor leader, one thousand dollars (\$1,000); minority floor leader, five thousand five hundred dollars (\$5,500); minority caucus chairman, four thousand five hundred dollars (\$4,500); ways and means committee ranking minority member, three thousand five hundred dollars (\$3,500); minority whip, one thousand five hundred dollars (\$1,500); and minority assistant floor leader, three thousand five hundred dollars (\$3,500).

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE PUBLIC

EMPLOYEES' RETIREMENT

FUND

LEGISLATORS'

RETIREMENT FUND

Total Operating

Expense	198,898	198,898
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FOR THE LEGISLATIVE

COUNCIL AND THE

LEGISLATIVE

SERVICES AGENCY

Total Operating

Expense	4,245,316	4,411,692
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LEGISLATOR AND

LAY MEMBER TRAVEL

Total Operating

Expense	455,910	455,910
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If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem in lieu of subsistence of fifty dollars (\$50) per day during the 1995-97 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or

commissions under the jurisdiction of the legislative council shall be based on SECTION 13 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

FOR THE LEGISLATIVE  
COUNCIL

CONTINGENCY FUND

Total Operating

Expense for

the Biennium

200,000

Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

DISTRIBUTION OF

PRINTED JOURNALS,

BILLS, RESOLUTIONS,

AND ENROLLED

DOCUMENTS

Total Operating

Expense

1,282,962

996,393

If the above appropriation for distribution of printed journals, bills, resolutions, and enrolled documents is insufficient, there are hereby appropriated such sums as may be necessary to pay for distribution of printed journals, bills, resolutions, and enrolled documents.

PRINTING AND

DISTRIBUTING

THE ACTS

Total Operating

Expense

69,290

73,865

The above funds are appropriated for printing and distributing the acts of the first and second regular sessions of the 109th general assembly. Upon completion of the distribution as provided by IC 2-6-1.5, additional copies may be sold at a price or prices determined by the legislative council from time to time. If the funds above appropriated for printing and distributing the acts are insufficient to pay all of the necessary expenses incurred, then there are hereby appropriated such further sums as may be necessary to pay such expenses.

PUBLICATION

OF THE INDIANA

CODE

Total Operating

Expense

138,580

147,720

The above funds are for recompilation of and printing supplements to the Indiana Code for fiscal years 1995-96 and 1996-97. Upon completion of the distribution as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices determined by the legislative council from time to time. If the above appropriations for publication

of the Indiana Code are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay such expenses.

NATIONAL CONFERENCE OF  
STATE LEGISLATURES HOST COMMITTEE

Total Operating Expense For the Biennium	100,000	
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COUNCIL OF STATE  
GOVERNMENTS

Annual Dues Other Operating Expense	102,900	108,100
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NATIONAL CONFERENCE  
OF STATE  
LEGISLATURES

Annual Dues Other Operating Expense	114,274	117,982
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PUBLICATION OF THE  
INDIANA ADMINISTRATIVE  
CODE

Total Operating Expense	319,850	340,950
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PRINTING AND  
DISTRIBUTING THE  
INDIANA REGISTER

Total Operating Expense	120,000	120,000
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FOR THE INDIANA LOBBY  
REGISTRATION COMMISSION

Total Operating Expense	109,888	109,888
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B. JUDICIAL  
FOR THE SUPREME  
COURT

Personal Services	3,108,494	3,108,494
Other Operating Expense	860,834	795,800

The above appropriation for the supreme court other operating expense includes the subsistence allowance as provided by IC 33-13-12.

FOR THE COURT  
OF APPEALS

Personal Services	5,425,074	5,525,508
Other Operating Expense	784,300	784,300

The above appropriations for the court of appeals other operating expense include the subsistence allowance provided by IC 33-13-12.

FOR THE CLERK  
OF THE SUPREME  
AND APPEALS  
COURTS

Personal Services	626,088	626,088
Other Operating Expense	213,122	138,122

FOR THE TAX COURT

Personal Services	337,604	337,604
Other Operating Expense	101,078	107,378

FOR THE JUDICIAL  
CENTER

Personal Services	537,921	537,921
Other Operating Expense	399,269	425,719

The above appropriations for the judicial center include the appropriations for the judicial conference.

FOR THE PUBLIC  
DEFENDER

Personal Services	3,836,286	3,947,145
Other Operating Expense	1,264,151	1,273,737

FOR THE PUBLIC  
DEFENDER COUNCIL

Personal Services	573,464	573,464
Other Operating Expense	197,217	190,310

FOR THE  
PROSECUTING  
ATTORNEYS'  
COUNCIL

Personal Services	386,691	386,691
Other Operating Expense	160,166	160,166

DRUG PROSECUTION

Total Operating Expense	100,740	100,740
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The above appropriations for drug prosecution are hereby appropriated from revenues accruing to the drug prosecution fund as provided in IC 33-14-8-5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

FOR THE  
SUPREME COURT

SPECIAL JUDGES  
) COUNTY COURTS

Personal		
Services	50,000	50,000
Other Operating		
Expense	185,272	185,272

If the funds above appropriated for special judges of county courts are insufficient to pay all of the necessary expenses which the state is required to pay under IC 34-1-13-4, there are hereby appropriated such further sums as may be necessary to pay such expenses.

FOR THE  
DIVISION OF  
STATE COURT  
ADMINISTRATION  
GUARDIAN AD  
LITEM

Total Operating		
Expense for		
the Biennium	800,000	

The division of state court administration shall use the foregoing appropriation to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-6-11 and to administer the program. However, the court may not use more than sixty-five thousand dollars (\$65,000) per state fiscal year for administration of the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-6-4-18(h) and used for the operation of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

PUBLIC  
DEFENDER  
COMMISSION

Total Operating		
Expense	900,000	900,000

The above appropriations for the public defender commission created by IC 33-9-13 are from the public defense fund created by IC 33-9-14 and are for the purpose of reimbursing counties for indigent defense services provided to a defendant. The division of state court administration of the supreme court of Indiana shall provide staff support to the commission and shall administer the fund. The administrative costs may come from the fund.

LOCAL JUDGES'  
SALARIES

Personal		
Services	31,702,306	31,758,471
Other Operating		
Expense	21,500	19,500

COUNTY  
PROSECUTORS'  
SALARIES

Personal		
Services	15,003,821	15,003,821
Other Operating		
Expense	9,250	9,250

The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-14-7-5 and that are to be paid from the state general fund.

In addition to the appropriations for local judges' salaries and for county prosecutors' salaries, there are hereby appropriated for personal services the amounts that the state is required to pay for salary changes or for additional courts created by the 109th general assembly.

FOR THE  
PUBLIC EMPLOYEES'  
RETIREMENT FUND  
JUDGES'

RETIREMENT FUND		
Other Operating		
Expense	7,432,854	7,743,932

PROSECUTORS'  
RETIREMENT FUND

Other Operating		
Expense	173,893	173,893

C. EXECUTIVE  
FOR THE GOVERNOR'S  
OFFICE

Personal		
Services	1,784,270	1,784,270
Other Operating		
Expense	310,360	310,360

GOVERNOR'S  
RESIDENCE

Total Operating		
Expense	148,597	148,597

CONTINGENCY FUND

Total Operating		
Expense for		
the Biennium	185,270	

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.

MISCELLANEOUS  
EXPENSES

Total Operating		
Expense	11,117	11,117

EXECUTIVE  
INTERNATIONAL  
DEVELOPMENT  
CONTINGENCY FUND  
Total Operating



Expense for the Biennium	185,270	
GOVERNOR'S FELLOWSHIP PROGRAM		
Total Operating Expense	273,755	273,755
FOR THE WASHINGTON LIAISON OFFICE		
Personal Services	99,054	99,054
Other Operating Expense	96,550	96,550
FOR THE GOVERNOR'S VOLUNTARY ACTION COMMISSION		
Personal Services	79,296	79,296
Other Operating Expense	24,702	24,702
FOR THE AUDITOR OF STATE GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS		
Other Operating Expense	112,494	130,256
The above appropriations for governors' and governors' surviving spouses' pensions are made pursuant to IC 4-3-3.		
FOR THE STATE ETHICS COMMISSION		
Personal Services	193,243	193,243
Other Operating Expense	44,693	44,693
FOR THE LIEUTENANT GOVERNOR		
Personal Services	675,310	675,310
Other Operating Expense	44,035	44,035
CONTINGENCY FUND		
Total Operating Expense	20,000	20,000
Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.		

FOR THE SECRETARY  
OF STATE )  
CORPORATIONS  
AND  
ADMINISTRATION

Personal		
Services	857,235	857,235
Other Operating		
Expense	258,190	258,190

UNIFORM  
COMMERCIAL CODE

Personal		
Services	180,738	180,738
Other Operating		
Expense	2,900	2,900

SECURITIES  
DIVISION

Personal		
Services	568,352	568,352
Other Operating		
Expense	20,010	20,010

FOR THE ATTORNEY  
GENERAL )

ATTORNEY GENERAL

Personal		
Services	8,615,899	8,615,899
Other Operating		
Expense	629,100	629,100

MEDICAID FRAUD  
UNIT

Total Operating		
Expense	262,798	262,798

The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit pursuant to IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). With the approval of the governor and the budget agency, the above appropriation for the Medicaid fraud unit may be augmented for the purpose of offsetting costs of the unit from revenues collected by the state from court settlements or judgments in Medicaid fraud cases.

UNCLAIMED PROPERTY

Personal		
Services	507,378	507,378
Other Operating		
Expense	146,500	146,500

The above funds appropriated to the unclaimed property division are to be paid from the abandoned property fund created by IC 32-9-1-24, and shall be used to cover administrative expenses incurred in carrying out the provisions of that chapter. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

D. FINANCIAL

MANAGEMENT  
FOR THE AUDITOR  
OF STATE

Personal Services	1,797,876	1,797,876
Other Operating Expense	157,073	157,073

MANAGEMENT  
INFORMATION  
DIVISION

Personal Services	1,441,565	1,441,565
Other Operating Expense	1,089,543	1,089,543

FOR THE STATE BOARD  
OF ACCOUNTS

Personal Services	12,347,317	12,347,317
Other Operating Expense	1,276,240	1,276,240

GOVERNOR ELECT

Total Operating Expense		40,000
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FOR THE STATE  
BUDGET COMMITTEE

Total Operating Expense	37,033	37,033
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Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the state budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the state budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE STATE  
BUDGET AGENCY

Personal Services	1,907,102	1,907,102
Other Operating Expense	300,240	300,240

PERSONAL  
SERVICES/FRINGE  
BENEFITS  
CONTINGENCY FUND

Total Operating Expense for the Biennium	50,000,000	
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The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. In determining how money from the personal services/fringe benefits contingency fund is to be distributed, the state budget director,

after consultation with the state personnel director, shall consider, among other factors, projected increases in health care costs, employees' current wage levels, the type of work performed, prior wage increases, and the relationship of employer's wage levels to the general workforce.

PROFESSIONAL AND TECHNICAL  
EQUITY FUND

Total Operating	
Expense for	
the Biennium	20,000,000

The budget agency shall review all general fund appropriations and reduce general fund expenditures by forty million dollars (\$40,000,000) for the biennium, of which twenty million dollars (\$20,000,000) shall come from permanent reductions in the staffing tables. A portion of these savings shall be used to fund the professional and technical equity fund and the balance shall come from other state funds.

The budget director shall, not later than January 1, 1996, identify to the state budget committee, positions that will be deleted.

The budget agency, with the approval of the governor and after consultation with the state personnel director, shall implement a recruitment and retention plan for professional, technical, and law enforcement class titles that have been difficult to recruit and retain. An approved plan shall be implemented not later than January 1, 1996. Funding for the plan must come from deleted positions as described above.

The professional and technical equity fund is in addition to any general state employee personal service amount increase or the personal services-fringe benefits contingency fund appropriations to the budget agency.

DEPARTMENTAL AND  
INSTITUTIONAL  
EMERGENCY  
CONTINGENCY FUND

Total Operating	
Expense for	
the Biennium	10,000,000

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary total operating expenses. The state budget committee shall be advised of each transfer request and allotment. With the approval of the governor and budget agency, the expenses of conducting an audit of a state agency for the following purposes may be paid from the departmental and institutional emergency contingency fund:

- (1) To determine whether the state agency is managing and utilizing its resources (including personnel, property, and office space) economically and efficiently.

(2) To determine whether there are any inefficiencies or uneconomical practices in the state agency's operations, and, if so, their causes.

(3) To determine whether the state agency has complied with laws and rules concerning matters of economy and efficiency.

FOR THE TREASURER  
OF STATE

Personal		
Services	668,763	668,763
Other Operating		
Expense	42,950	42,950

FOR THE PUBLIC  
EMPLOYEES'  
RETIREMENT  
FUND )

ADMINISTRATION

Personal		
Services	2,009,251	2,009,251
Other Operating		
Expense	1,809,240	1,809,240

The above appropriations to the public employees' retirement fund for administrative expenses shall be paid from investment earnings in accordance with the provisions of IC 5-10.2-2-12. With the approval of the governor and the budget agency, said sums may be augmented from said earnings.

E. TAX

ADMINISTRATION

FOR THE DEPARTMENT  
OF REVENUE )

COLLECTION

AND

ADMINISTRATION

Personal		
Services	28,829,519	28,829,519
Other Operating		
Expense	13,000,640	12,992,948

With approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of revenue from taxes and fees.

OUTSIDE

COLLECTIONS

Total Operating		
Expense	2,200,000	2,200,000

With the approval of the governor and the budget agency, the foregoing sums for the department of revenue's outside collections may

be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

**MOTOR FUEL**

**TAX DIVISION**

Personal		
Services	3,333,729	3,333,729
Other Operating		
Expense	811,240	811,240

Of the foregoing appropriations for the motor fuel tax division for fiscal year 1995-96, one million, two hundred seventy-four thousand, four hundred fifty-two dollars (\$1,274,452) is appropriated from the motor carrier regulation fund created by IC 8-2.1-23 and two million, eight hundred seventy thousand, five hundred seventeen dollars (\$2,870,517) is appropriated from the motor vehicle highway fund. For fiscal year 1996-97, one million, two hundred seventy-four thousand, four hundred fifty-two dollars (\$1,274,452) is appropriated from the motor carrier regulation fund and two million, eight hundred seventy thousand, five hundred seventeen dollars (\$2,870,517) is appropriated from the motor vehicle highway fund. In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway fund for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the motor vehicle highway fund.

**MOTOR CARRIER**

**REGULATIONS**

Personal		
Services	335,594	335,594
Other Operating		
Expense	161,572	161,572

The above appropriations for the department of revenue motor carrier regulation are hereby appropriated from the motor carrier regulation fund created by IC 8-2.1-23. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the motor carrier regulation fund.

**FOR THE INDIANA**

**HORSE RACING**

**COMMISSION**

Personal		
Services	1,833,533	1,826,033
Other Operating		
Expense	1,691,326	1,413,941

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9. The

appropriations are made pursuant to the provisions of IC 4-31 and from revenues accruing to the Indiana horse racing commission operating fund established by IC 4-31-10. With the approval of the governor and the budget agency, the above appropriations for the Indiana horse racing commission may be augmented from the state general fund with or in anticipation of revenue generated from horse racing in Indiana.

FOR THE INDIANA

GAMING COMMISSION

Personal		
Services	910,239	910,239
Other Operating		
Expense	4,544,698	4,098,031

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming account of the state general fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5. With the approval of governor and the budget agency, the above appropriations for the Indiana gaming commission may be augmented from the state general fund.

The foregoing appropriations to the Indiana gaming commission are made in lieu of the appropriation made in IC 4-33-13-4. The commission may employ or contract for inspectors and agents required under IC 4-33-4-3.5. The licensed owners shall, in the manner prescribed by the rules of the commission, reimburse the commission for the salaries and other expenses of the inspectors and agents who are required to be present during the time gambling operations are conducted on a riverboat.

FOR THE BOARD

OF TAX

COMMISSIONERS

Personal		
Services	3,977,214	3,977,214
Other Operating		
Expense	1,361,526	1,361,526

From the above appropriations for the board of tax commissioners, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5 and the state school property tax control board created by IC 6-1.1-19, pursuant to state travel regulations.

The state board of tax commissioners shall contract for an analysis of the variations in assessment throughout Indiana. The state board of tax commissioners shall issue reports on the progress of the assessment analysis to the state budget committee annually. Of the above appropriations for the state board of tax commissioners, four hundred thousand dollars (\$400,000) of each state fiscal year must be used to upgrade the state board of tax commissioners professional capability for policy development and analysis, to augment the training of local assessing officials, to improve rulemaking procedures, and to implement a plan to reduce the backlog of real property tax appeals.

F. ADMINISTRATION

FOR THE DEPARTMENT

OF ADMINISTRATION )

PUBLIC WORKS		
DIVISION		
Personal		
Services	1,745,107	1,745,107
Other Operating		
Expense	164,842	164,842
COMMISSIONER'S OFFICE		
Personal		
Services	1,114,031	1,114,031
Other Operating		
Expense	96,490	96,490
PROCUREMENT		
DIVISION		
Personal		
Services	1,393,682	1,393,682
Other Operating		
Expense	295,703	295,703
OPERATIONS		
DIVISION		
Personal		
Services	6,938,708	6,938,708
Other Operating		
Expense	6,377,147	6,877,147
WASHINGTON		
STREET		
PARKING		
GARAGE LEASE		
RENTAL		
Total Operating		
Expense	4,157,594	4,169,131
SENATE AVENUE		
PARKING GARAGE		
LEASE RENTAL		
Total Operating		
Expense	821,006	828,783
STATE OFFICE		
BUILDING-NORTH		
LEASE RENTAL		
Total Operating		
Expense	10,792,796	10,806,484
STATE OFFICE		
BUILDING-SOUTH		
LEASE RENTAL		
Total Operating		
Expense	13,687,476	13,698,076
DEBT SERVICE FOR		
PRISON		
CONSTRUCTION		
WABASH VALLEY		
CORRECTIONAL		
INSTITUTION		



(MAXIMUM SECURITY)		
Total Operating		
Expense	6,474,132	6,494,298
WABASH VALLEY		
CORRECTIONAL		
INSTITUTION		
(MEDIUM SECURITY)		
Total Operating		
Expense	3,573,307	3,577,524
FOR THE PERSONNEL		
DEPARTMENT		
Personal		
Services	3,298,563	3,298,563
Other Operating		
Expense	1,066,768	1,066,768
STATE EMPLOYEES'		
APPEALS		
COMMISSION		
Personal		
Services	96,432	96,432
Other Operating		
Expense	15,075	15,075
FOR THE DATA		
PROCESSING		
OVERSIGHT		
COMMISSION		
Personal		
Services	348,135	348,135
Other Operating		
Expense	232,311	232,311
FOR THE COMMISSION		
ON PUBLIC		
RECORDS		
Personal		
Services	1,225,196	1,225,196
Other Operating		
Expense	486,510	486,510
G. OTHER		
FOR THE COMMISSION		
ON UNIFORM		
STATE LAWS		
Total Operating		
Expense	39,500	40,700
FOR THE INDIANA		
ELECTION COMMISSION		
Personal		
Services	397,154	397,154
Other Operating		
Expense	90,481	90,481

On January 1, 1997, the above appropriation for the Indiana election commission shall be transferred as necessary to comply with HEA

1743-1995.

FOR THE STATE  
BUDGET AGENCY  
NATIONAL VOTER  
RIGHTS LEGISLATION  
CONTINGENCY FUND

Total Operating		
Expense	500,000	500,000

The above amount may be augmented from the state general fund by the budget director with the approval of the governor as deemed necessary or appropriate to comply with provisions of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-1, et seq.). The state election board shall present to the state budget committee a proposed spending plan for the above appropriation not later than December 1, 1995.

**1995-340-4**

SECTION 4. PUBLIC SAFETY

	Year 1995-96	Year 1996-97
PUBLIC SAFETY		
A. CORRECTIONS		
FOR THE DEPARTMENT		
OF CORRECTION		
ESCAPEE COUNSEL		
AND TRIAL		
EXPENSE		
Other Operating		
Expense	250,000	250,000
COMMUNITY		
CORRECTION		
PROGRAMS		
Total Operating		
Expense for		
the Biennium	23,200,000	
COUNTY JAIL		
MISDEMEANANT		
HOUSING		
Total Operating		
Expense	2,300,000	2,300,000
STAFF DEVELOPMENT		
AND TRAINING		
Personal		
Services	670,752	670,752
Other Operating		
Expense	420,700	366,000
PAROLE DIVISION		
Personal		
Services	3,648,658	3,683,883
Other Operating		
Expense	700,939	661,239

CENTRAL EMERGENCY  
RESPONSE

Personal		
Services	700,513	700,513
Other Operating		
Expense	469,000	487,500

CENTRAL OFFICE

Personal		
Services	5,644,908	5,644,908
Other Operating		
Expense	950,700	961,000

INFORMATION  
MANAGEMENT  
SERVICES

Personal		
Services	1,410,914	1,410,914
Other Operating		
Expense	2,044,010	2,057,510

JUVENILE TRANSITION

Personal		
Services	493,001	493,001
Other Operating		
Expense	2,444,700	2,455,000

ADDITIONAL JUVENILE  
MALE FACILITY

Personal		
Services		3,925,000
Other Operating		
Expense		814,000

PAROLE BOARD

Personal		
Services	415,476	415,476
Other Operating		
Expense	39,000	39,700

DRUG ABUSE  
PREVENTION

Personal		
Services	51,595	51,595
Other Operating		
Expense	72,000	72,000

The above appropriations for corrections drug abuse prevention are hereby appropriated from revenues accruing to the corrections drug abuse fund as provided in IC 11-8-2-11. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

FOR THE WABASH  
VALLEY  
CORRECTIONAL  
INSTITUTION

Personal		
Services	17,182,869	25,045,647

Other Operating Expense	13,852,076	12,254,298
FOR THE INDIANA STATE PRISON		
Personal Services	21,369,332	21,369,332
Other Operating Expense	7,128,055	7,148,101
VOCATIONAL TRAINING PROGRAM		
Total Operating Expense	379,422	379,422
FOR THE INDIANA REFORMATORY		
Personal Services	21,298,464	21,298,464
Other Operating Expense	6,330,914	6,375,865
FOR THE CORRECTIONAL INDUSTRIAL COMPLEX		
Personal Services	16,331,741	16,331,741
Other Operating Expense	3,798,950	3,730,300
FOR INDUSTRIES AND FARMS DIVISION		
) FOOD INDUSTRY COMPONENT		
Personal Services	358,304	358,304
Other Operating Expense	420,807	1,170,807
FOR THE INDIANA WOMEN'S PRISON		
Personal Services	8,051,000	8,051,000
Other Operating Expense	2,028,400	2,028,400
FOR THE INDIANA STATE FARM		
Personal Services	20,564,304	20,709,624
Other Operating Expense	6,094,527	5,565,827
FOR THE INDIANA BOYS' SCHOOL		

Personal Services	11,580,233	11,580,233
Other Operating Expense	1,983,900	2,025,000
FOR THE INDIANA GIRLS' SCHOOL		
Personal Services	6,554,563	6,554,563
Other Operating Expense	1,514,200	1,488,400
FOR THE CASS COUNTY REGIONAL JUVENILE FACILITY		
Personal Services	1,120,004	1,120,004
Other Operating Expense	735,117	735,117
FOR THE SUMMIT REGIONAL JUVENILE FACILITY		
Personal Services	1,296,552	1,296,552
Other Operating Expense	828,028	828,028
FOR THE BRANCHVILLE TRAINING CENTER		
Personal Services	12,173,328	12,173,328
Other Operating Expense	3,934,700	3,632,300
FOR THE WESTVILLE CORRECTIONAL CENTER		
Personal Services	33,089,877	33,089,877
Other Operating Expense	9,561,308	9,596,920
FOR THE WESTVILLE MAXIMUM CONTROL COMPLEX		
Personal Services	4,240,804	4,240,804
Other Operating Expense	726,700	712,000
FOR THE WESTVILLE TRANSITIONAL UNIT		
Personal Services	2,610,426	2,610,426
Other Operating Expense	318,200	303,500

FOR THE ROCKVILLE  
CORRECTIONAL  
FACILITY FOR  
WOMEN

Personal Services	7,434,000	7,434,000
Other Operating Expense	1,995,846	2,003,700

FOR THE INDIANA  
YOUTH CENTER

Personal Services	18,925,103	18,925,103
Other Operating Expense	6,754,825	6,749,525

FOR THE RECEPTION  
AND DIAGNOSTIC  
CENTER

Personal Services	7,955,600	7,955,600
Other Operating Expense	1,335,600	1,162,285

FOR THE  
HENRYVILLE  
CORRECTIONAL  
UNIT

Personal Services	1,171,523	1,171,523
Other Operating Expense	419,200	369,200

FOR THE  
CHAIN O' LAKES  
CORRECTIONAL  
UNIT

Personal Services	993,390	993,390
Other Operating Expense	404,010	404,010

FOR THE  
MEDARYVILLE  
CORRECTIONAL  
UNIT

Personal Services	1,089,646	1,089,646
Other Operating Expense	323,400	323,400

FOR THE  
LAKESIDE  
CORRECTIONAL  
UNIT

Personal Services	1,968,046	1,968,046
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Other Operating Expense	583,500	590,300
FOR THE ATTERBURY CORRECTIONAL UNIT		
Personal Services	1,338,049	1,338,049
Other Operating Expense	471,000	421,000
FOR THE MADISON CORRECTIONAL UNIT		
Personal Services	2,011,479	2,011,479
Other Operating Expense	799,500	749,500
FOR THE JOHNSON COUNTY CORRECTIONAL UNIT		
Personal Services	1,675,275	1,675,275
Other Operating Expense	438,600	388,600
FOR THE FORT WAYNE JUVENILE RESIDENTIAL FACILITY		
Personal Services	660,408	660,408
Other Operating Expense	341,046	341,046
FOR THE SOUTH BEND JUVENILE RESIDENTIAL FACILITY		
Personal Services	1,019,220	1,019,220
Other Operating Expense	397,895	572,895
FOR THE NORTH CENTRAL JUVENILE FACILITY		
Personal Services	3,935,521	3,935,521
Other Operating		

Expense	914,000	914,000
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FOR TITLE XX

Total Operating

Expense	3,172,510	3,456,710
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The foregoing appropriations for Title XX for the department of correction are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed three million, one hundred seventy-two thousand, five hundred ten dollars (\$3,172,510) for fiscal year 1995-96 and three million, four hundred fifty-six thousand, seven hundred ten dollars (\$3,456,710) for fiscal year 1996-97. With the approval of the governor and budget agency, the sums may be augmented from revenues accruing to the work release subsistence fund created by IC 11-10-8-6.5.

Any of the appropriations to the department of correction may be augmented, with the approval of the governor and the budget agency, from funds accruing to the social services block grant purchase of social services contingency fund pursuant to IC 12-13-10 for the purpose of reimbursing the foregoing appropriations for expenditures made therefrom that qualify for participation in the social services block grant purchase of social services program.

FOR THE STATE

BUDGET AGENCY

COUNTY JAIL

MAINTENANCE

CONTINGENCY FUND

Other Operating

Expense	6,729,000	5,100,000
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Disbursements from the fund shall be made for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies to the extent that such persons are incarcerated for more than five (5) days after the day of sentencing at the rate of thirty-five dollars (\$35) per day. In addition to the per diem, the state shall reimburse the sheriffs for any expenses incurred in providing medical care to the convicted persons. However, if the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing, if the department of correction does not have the capacity to receive the convicted person. If this appropriation is insufficient to make the payments specified, with the approval of the governor and the budget agency, there are hereby appropriated such further sums as may be necessary.

B. LAW ENFORCEMENT

FOR THE ADJUTANT

GENERAL

Personal

Services	5,601,044	5,601,044
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Other Operating

Expense	3,854,457	4,039,157
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NAVAL FORCES

Personal		
Services	119,315	119,315
Other Operating		
Expense	104,296	104,296

DISABLED SOLDIERS'

PENSION		
Other Operating		
Expense	13,156	13,548

GOVERNOR'S CIVIL  
AND MILITARY  
CONTINGENCY FUND

Total Operating		
Expense for		
the Biennium	970,000	

The above appropriations for the adjutant general governor's civil and military contingency fund are made pursuant to IC 10-2-7-1.

FOR THE CRIMINAL  
JUSTICE INSTITUTE  
ADMINISTRATIVE  
MATCH

Total Operating		
Expense	128,717	128,717

DRUG ENFORCEMENT

MATCH		
Total Operating		
Expense	1,259,415	1,259,415

VICTIM AND  
WITNESS  
ASSISTANCE

Total Operating		
Expense	626,000	626,000

The above appropriations for the victim and witness assistance fund are hereby appropriated from revenues accruing to the victim and witness fund as provided by IC 5-2-6-14. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to the fund.

VIOLENT CRIME  
VICTIMS  
COMPENSATION  
FUND

Personal		
Services	246,646	246,646
Other Operating		
Expense	2,253,354	2,253,354

One million dollars (\$1,000,000) for state fiscal year 1995-96 and one million dollars (\$1,000,000) for state fiscal year 1996-97 is appropriated from the state general fund for the violent crime victims compensation fund. The balance of the above appropriation is from revenues accruing to the violent crime victims compensation fund as provided in IC 5-2-6.1-40. With the approval of the governor and the

budget agency, said sums may be augmented from revenues accruing to such fund.

STATE DRUG FREE  
COMMUNITIES  
FUND

Total Operating		
Expense	579,999	579,999

The above appropriations for the state drug free communities fund are hereby appropriated from revenues accruing to the state drug free communities fund as provided by IC 33-19-9-4. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to the fund.

INDIANA SAFE  
SCHOOLS

Total Operating		
Expense	800,000	1,000,000

The funds appropriated are from the Indiana safe schools fund established in IC 5-2-10.1-2. The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the Indiana safe schools fund.

OFFICE OF TRAFFIC  
SAFETY

Personal		
Services	883,716	683,716
Other Operating		
Expense	3,855,900	3,855,900

The above appropriations to the office of traffic safety are from the motor vehicle highway fund. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the fund.

ALCOHOL AND DRUG  
COUNTERMEASURES

Total Operating		
Expense	600,000	600,000

The above appropriations for the alcohol and drug countermeasures fund are appropriated from revenues accruing to the alcohol and drug countermeasures fund as provided in IC 9-27-2-11. With approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

HIGHWAY SAFETY  
PLAN

Total Operating		
Expense	1,925,000	1,925,000

The above appropriations for the highway safety plan are from the motor vehicle highway fund, and may be used only to fund traffic safety projects which are included in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be quietused into the motor vehicle highway fund.

FOR THE CORONERS  
TRAINING BOARD

Personal		
Services	73,650	73,650
Other Operating		
Expense	263,100	263,100

The foregoing appropriations to the coroners training board are appropriated from revenues accruing to the coroners training and continuing education fund as provided in IC 4-23-6.5-8. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

FOR THE LAW  
ENFORCEMENT  
TRAINING  
BOARD

Personal		
Services	1,937,178	1,937,178
Other Operating		
Expense	1,168,131	1,168,050

The above appropriations for the law enforcement training board are from the law enforcement training fund created by IC 5-2-1-13. With the approval of the governor and the budget agency, said sums may be augmented from said fund.

FOR THE INDIANA  
STATE POLICE  
AND MOTOR  
CARRIER  
INSPECTION

Personal		
Services	69,635,252	69,749,757
Other Operating		
Expense	18,362,299	17,874,299

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program. In addition to any funds that may be expended for accident reporting from the "accident report account" under IC 9-29-11-1, there is included in the appropriations for Indiana state police and motor carrier inspection such additional funds as necessary for administering accident reporting as required under IC 9-26-3.

Of the funds above appropriated for the Indiana state police for fiscal year 1995-96, forty-one million, eight hundred eighty-two thousand, eight hundred thirty-two dollars (\$41,882,832) is appropriated from the motor vehicle highway fund, and forty-one million, eight hundred eighty-two thousand, eight hundred thirty-one dollars (\$41,882,831) is appropriated from the general fund, and four million, two hundred thirty-one thousand, eight hundred eighty-eight dollars (\$4,231,888) is appropriated from the motor carrier regulation fund.

Of the funds appropriated for fiscal year 1996-97, forty-one million, six hundred ninety-six thousand, eighty-four dollars (\$41,696,084) is appropriated from the motor vehicle highway fund, and forty-one million, six hundred ninety-six thousand, eighty-four dollars

(\$41,696,084) is appropriated from the general fund and four million, two hundred thirty-one thousand, eight hundred eighty-eight dollars (\$4,231,888) is appropriated from the motor carrier regulation fund.

The foregoing appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, any amount expended to provide security for the Indiana state fair board may be reimbursed by the Indiana state fair board to such fund from which the expenditure was made, in accordance with reimbursement schedules recommended by the state budget committee.

With the approval of the governor and the budget agency, said sums may be augmented accordingly from the state general fund, the motor vehicle highway fund, special fuel taxes, and the motor carrier regulation fund.

#### DRUG

##### INTERDICTION

###### Total Operating

Expense	230,000	230,000
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The above appropriations for drug interdiction are hereby appropriated from revenues accruing to the drug interdiction fund as provided in IC 10-1-8-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

#### PENSION FUND

##### Pension Fund

Contribution	5,336,605	5,336,605
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-1-2 in twelve (12) equal installments on or before July 30, and on or before the 30th of each succeeding month thereafter.

The foregoing appropriations for the state police pension fund are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed two million, six hundred sixty-eight thousand, three hundred two dollars (\$2,668,302) for fiscal year 1995-96, and not to exceed two million, six hundred sixty-eight thousand, three hundred two dollars (\$2,668,302) for fiscal year 1996-97, and the balance from revenues accruing to the motor vehicle highway fund.

#### SUPPLEMENTAL

##### PENSION

###### Total Operating

Expense	2,137,660	2,137,660
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The foregoing appropriations for the state police supplemental pension provided for in IC 10-1-2.6 are hereby appropriated from revenues accruing to the state general fund an amount not to exceed one million, sixty-eight thousand, eight hundred thirty dollars (\$1,068,830) for the fiscal year 1995-96, and not to exceed one million, sixty-eight thousand, eight hundred thirty dollars (\$1,068,830) for fiscal year 1996-97, balance from revenues accruing to the motor vehicle highway fund.

If the above appropriations for supplemental pension for any one (1)

year are greater than the amount actually required under the provisions of IC 10-1-2.6, then such excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-1-2.6 is greater than the above appropriations, then, with the approval of the governor and the budget agency, said sums may be augmented.

#### BENEFIT FUND

##### Total Operating

Expense	980,000	980,000
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All benefits that accrue to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-1-2.

The foregoing appropriations for the state police benefit fund are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed four hundred ninety thousand dollars (\$490,000) for fiscal year 1995-96, and not to exceed four hundred ninety thousand dollars (\$490,000) for fiscal year 1996-97, and the balance from revenues accruing to the motor vehicle highway fund. With the approval of the governor and the budget agency, said sums may be augmented from the state general fund and the motor vehicle highway fund.

#### ENFORCEMENT

##### AID FUND

##### Total Operating

Expense	175,000	175,000
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The above appropriations to the enforcement aid fund are to meet unforeseen emergencies of a confidential character. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's certificate.

The foregoing appropriations for the enforcement aid fund are appropriated from revenues accruing to the state general fund in an amount not to exceed eighty-seven thousand five hundred dollars (\$87,500) for fiscal year 1995-96, and not to exceed eighty-seven thousand five hundred dollars (\$87,500) for fiscal year 1996-97, and the balance from revenues accruing to the motor vehicle highway fund.

#### C. REGULATORY AND LICENSING

##### FOR THE ALCOHOLIC

##### BEVERAGE

##### COMMISSION

##### Personal

Services	3,023,057	3,023,057
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##### Other Operating

Expense	1,066,012	1,066,012
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The amounts expended from the appropriations herein made for the administration of the alcoholic beverage commission and the enforcement of the alcoholic beverage act, as provided for in IC 7.1, shall be paid from the enforcement and administration fund established by IC 7.1-4-10-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

FOR THE STATE  
BOARD OF ANIMAL  
HEALTH

Personal Services	1,428,403	1,428,403
Other Operating Expense	744,766	744,766

INDEMNITY FUND

Total Operating Expense for the Biennium	185,000	
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FOR THE CIVIL  
RIGHTS COMMISSION

Personal Services	1,377,225	1,377,225
Other Operating Expense	177,058	177,058

FOR THE EMERGENCY  
MANAGEMENT  
AGENCY

Personal Services	1,350,752	1,350,752
Other Operating Expense	590,464	590,464

EMERGENCY  
MANAGEMENT  
AGENCY  
CONTINGENCY  
FUND

Total Operating Expense	250,000	250,000
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EARTHQUAKE  
PROGRAM MATCH

Total Operating Expense	13,250	13,250
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URBAN SEARCH  
AND RESCUE

Total Operating Expense	50,000	50,000
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The funds appropriated to the emergency management agency for urban search and rescue are from the fire and building services fund established in IC 22-12-6-1. The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the fire and building services fund.

DISASTER  
PREPAREDNESS  
IMPROVEMENT  
GRANT MATCH

Total Operating Expense	50,000	50,000
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DIRECTION

CONTROL AND WARNING		
Total Operating		
Expense	31,750	31,750
INDIVIDUAL AND FAMILY ASSISTANCE		
Total Operating		
Expense	300,000	300,000
PUBLIC ASSISTANCE		
Total Operating		
Expense	293,432	293,432

The above appropriations for individual and family assistance and public assistance may be augmented with the approval of the governor and the budget agency from revenue accruing to the general fund.

The above appropriations for the emergency management agency represent the total program cost for civil defense and for emergency medical services for each fiscal year. It is the intent of the general assembly that the emergency management agency apply to the Federal Emergency Management Agency for all federal reimbursement funds for which Indiana is eligible. All funds received shall be quietused into the state general fund.

The above appropriations for the emergency management agency contingency fund are made to the contingency fund pursuant to IC 10-4-1-22. The above appropriations shall be in addition to any unexpended balances in the fund as of June 30, 1995.

FOR THE DEPARTMENT  
OF FIRE AND  
BUILDING SERVICES

Personal		
Services	6,407,580	6,407,580
Other Operating		
Expense	1,610,362	1,610,362

The funds appropriated to the department of fire and building services are from the fire and building services fund established in IC 22-12-6-1. The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the fire and building services fund.

FOR THE PUBLIC  
SAFETY TRAINING  
INSTITUTE

Personal		
Services	829,934	829,934
Other Operating		
Expense	657,588	657,588

The foregoing appropriations to the public safety training institute are from the fire and building services fund established in IC 22-12-6-1. With the approval of the governor and the budget agency, said sums may be augmented from funds accruing to the fire and building services fund.

FOR THE DEPARTMENT

OF FINANCIAL  
INSTITUTIONS

Personal		
Services	4,645,651	4,645,651
Other Operating		
Expense	1,215,464	1,215,464

The foregoing appropriations to the department of financial institutions are appropriated from revenues accruing to the financial institutions fund established in IC 28-11-2-9. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to said fund.

FOR THE HEALTH  
PROFESSIONS  
SERVICE BUREAU

Personal		
Services	1,397,101	1,397,101
Other Operating		
Expense	842,577	824,177

IMPAIRED NURSES  
PROGRAM

Total Operating		
Expense	198,522	66,504

The above funds appropriated to the impaired nursing program are appropriated from the impaired nurses account created by IC 25-23-1-34. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the account.

FOR THE WORKER'S  
COMPENSATION  
BOARD

Personal		
Services	859,562	859,562
Other Operating		
Expense	201,921	201,921

FOR THE WORKER'S  
COMPENSATION  
SUPPLEMENTAL  
ADMINISTRATIVE  
FUND

Personal		
Services	493,198	493,198
Other Operating		
Expense	193,408	193,408

The foregoing appropriations to the worker's compensation supplemental administrative fund are hereby appropriated from revenues accruing to the worker's compensation supplemental administrative fund as provided in IC 22-3-5-6. With the approval of the governor and the budget agency, this appropriation may be augmented from revenues accruing to the worker's compensation supplemental administrative fund.

FOR THE INSURANCE



## DEPARTMENT

Personal		
Services	1,898,311	1,898,311
Other Operating		
Expense	672,484	672,484

Of the funds appropriated for 1995-96 two million, one hundred eighty-two thousand, five hundred seventy-eight dollars (\$2,182,578) is appropriated from the general fund and the balance from the department of insurance fund established in IC 27-1-3-28. Of the funds appropriated for 1996-97 two million, one hundred eighty-two thousand, five hundred seventy-eight dollars (\$2,182,578) is appropriated from the general fund and the balance from the department of insurance fund established in IC 27-1-3-28.

The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the department of insurance fund.

## EXAMINATIONS

Personal		
Services	1,344,066	1,344,066
Other Operating		
Expense	85,925	85,925

Of the funds appropriated for 1995-96 eight hundred sixty-one thousand, one hundred forty-four dollars (\$861,144) is appropriated from the general fund and the balance from the department of insurance fund established in IC 27-1-3-28. Of the funds appropriated for 1996-97 eight hundred sixty-one thousand, one hundred forty-four dollars (\$861,144) is appropriated from the general fund and the balance from the department of insurance fund established in IC 27-1-3-28.

The above appropriations with the approval of the governor and the budget agency may be augmented from funds accruing to the department of insurance fund.

If the revenues accruing to the general fund for the examinations account exceed the amount appropriated above, with the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the account.

## BAIL BOND

### DIVISION

Personal		
Services	73,417	73,417
Other Operating		
Expense	20,849	20,849

The foregoing appropriations to the insurance department bail bond division are appropriated from revenues accruing to the bail bond enforcement and administration fund established by IC 27-10-5-1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

## PATIENT'S

### COMPENSATION

### AUTHORITY

Personal

Services	611,678	611,678
Other Operating		
Expense	125,585	125,585

The foregoing appropriation to the insurance department patient's compensation authority is appropriated from revenues accruing to the patient's compensation fund as provided in IC 27-12-6-1. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to the fund.

POLITICAL  
SUBDIVISION  
RISK  
MANAGEMENT

Personal		
Services	279,747	279,747
Other Operating		
Expense	357,500	357,500

The foregoing appropriations to the insurance department political subdivision risk management are appropriated from revenues accruing to the political subdivision risk management fund as provided in IC 27-1-29-8. With the approval of the governor and the budget agency, such sums may be augmented from revenues accruing to said fund.

MINE SUBSIDENCE  
INSURANCE

Personal		
Services	156,391	156,391
Other Operating		
Expense	157,585	157,585

The foregoing appropriations to the insurance department mine subsidence insurance are appropriated from revenues accruing to the mine subsidence insurance fund as provided in IC 27-7-9-7.

With the approval of the governor and the budget agency, the foregoing appropriations to mine subsidence insurance may be augmented from revenues accruing to said fund.

FOR THE  
PROFESSIONAL  
LICENSING  
AGENCY

Personal		
Services	1,695,144	1,695,144
Other Operating		
Expense	1,403,941	1,403,941

EMBALMERS AND  
FUNERAL  
DIRECTORS  
EDUCATION FUND

Total Operating		
Expense	20,000	20,000

The above funds appropriated to the embalmers and funeral directors education fund are to be paid from the funeral service education fund as provided in IC 25-15-9-13. With the approval of the governor and

the budget agency, such sums may be augmented from revenues accruing to such fund.

FOR THE BUREAU  
OF MOTOR VEHICLES

Personal		
Services	15,277,739	15,277,739
Other Operating		
Expense	14,019,117	14,019,117

LICENSE PLATES

Total Operating		
Expense	3,375,500	4,137,250

ABANDONED  
VEHICLES

Total Operating		
Expense	31,220	31,220

The sums above appropriated for the operation of the bureau of motor vehicles and for license plates are appropriated from revenues accruing to the motor vehicle highway fund.

The sums above appropriated for abandoned vehicles are appropriated from the abandoned vehicle fund pursuant to IC 9-22-1-28. With the approval of the governor and the budget agency, said sums may be augmented from the motor vehicle highway fund and the abandoned vehicle fund, respectively.

FINANCIAL  
RESPONSIBILITY  
COMPLIANCE  
VERIFICATION  
FUND

Total Operating		
Expense	323,793	323,793

The above appropriations for the financial responsibility compliance verification fund are appropriated from revenues accruing to the financial responsibility compliance verification fund pursuant to IC 9-25-9-7. With the approval of the governor and the budget agency, said sums may be augmented from the financial responsibility compliance verification fund.

FOR THE UTILITY  
REGULATORY  
COMMISSION  
NOMINATING  
COMMITTEE

Total Operating		
Expense	5,000	5,000

Notwithstanding the provisions of IC 8-1-1.5-9(b), the above appropriations are hereby made for the purpose of defraying any and all expenses which may be incurred by the nominating committee.

FOR THE UTILITY  
REGULATORY  
COMMISSION

Personal		
Services	3,660,864	3,660,864

Other Operating Expense	1,889,025	1,889,025
FOR THE UTILITY CONSUMER COUNSELOR		
Personal Services	2,883,513	2,883,513
Other Operating Expense	620,560	620,560
EXPERT WITNESS FEES AND AUDIT		
Total Operating Expense for the Biennium	1,550,000	

The foregoing appropriations to the utility regulatory commission, utility consumer counselor, and expert witness fees and audits, are appropriated from revenues accruing to the utility regulatory fund as provided in IC 8-1-6. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the public utility fund; however, unused funds do not revert to the utility regulatory fund unless approved by the budget agency after consultation with the state budget committee.

FOR THE DEPARTMENT  
OF LABOR

Personal Services	869,839	869,839
Other Operating Expense	172,675	172,675
BUREAU OF MINES AND MINING		
Personal Services	104,378	104,378
Other Operating Expense	68,050	68,050
BUREAU OF SAFETY EDUCATION AND TRAINING		
Personal Services	819,837	819,837
Other Operating Expense	249,196	249,196

The above funds appropriated to the bureau of safety education and training are to be paid from a special fund for safety and health consultation services created in IC 22-8-1.1-48. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

OCCUPATIONAL  
SAFETY AND  
HEALTH

Personal Services	1,951,093	1,951,093
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Other Operating Expense	467,523	467,523
INDUSTRIAL HYGIENE		
Personal Services	1,096,843	1,096,843
Other Operating Expense	241,400	241,400
RESEARCH AND STATISTICS		
Personal Services	187,440	187,440
Other Operating Expense	77,700	77,700

The above funds are appropriated to the bureau of safety education and training, occupational safety and health, and industrial hygiene in order to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of Labor, pursuant to the Williams-Steiger Occupational Safety and Health Act of 1970, as amended, and to research and statistics as provided by the U. S. department of labor, bureau of labor statistics. Inasmuch as the state is eligible to receive from the federal government fifty percent (50%) of the state's total Indiana occupational safety and health program cost, and research and statistics cost, it is the intention of the general assembly that the department of labor make application to the federal government for the federal share of the total program cost.

Any federal funds received by the state for the Indiana occupational safety and health program shall be considered as a reimbursement of state expenditures. Therefore, federal funds received for costs attributable to the bureau of safety education and training appropriations shall be quietused into a special fund for safety and health consultation services, as established in IC 22-8-1.1-48, and federal funds received for costs attributable to occupational safety and health appropriations, industrial hygiene appropriations, or the research and statistics appropriations shall be quietused into the general fund.

#### EMPLOYMENT OF YOUTH

Total Operating Expense	35,600	35,600
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The above funds appropriated to the employment of youth program are to be paid from a special fund for employment of youth created in IC 20-8.1-4-31. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

### 1995-340-5

#### SECTION 5. CONSERVATION AND ENVIRONMENT

Year	Year
1995-96	1996-97
CONSERVATION AND ENVIRONMENT	

A. NATURAL RESOURCES  
FOR THE DEPARTMENT  
OF NATURAL  
RESOURCES )

ADMINISTRATION

Personal		
Services	2,587,492	2,587,492
Other Operating		
Expense	1,489,504	1,685,504

From the above appropriation, seventy-five thousand dollars (\$75,000) in each state fiscal year shall be used for the Grissom Museum.

DEPARTMENT OF  
NATURAL RESOURCES  
FINANCIAL MANAGEMENT

Personal		
Services	72,024	72,024
Other Operating		
Expense	140,000	140,000

ENTOMOLOGY  
AND PLANT  
PATHOLOGY  
DIVISION

Personal		
Services	546,068	546,068
Other Operating		
Expense	83,483	83,483

ENTOMOLOGY  
AND PLANT  
PATHOLOGY FUND

Total Operating		
Expense for		
the Biennium	20,000	

The foregoing appropriation for the entomology and plant pathology fund is hereby appropriated from revenues accruing to the entomology and plant pathology fund created by IC 14-24-10-3. With the approval of the governor and the budget agency, said appropriation may be augmented from revenue accruing to the entomology and plant pathology fund.

ENGINEERING  
DIVISION

Personal		
Services	925,932	925,932
Other Operating		
Expense	150,365	135,175

STATE MUSEUM

Personal		
Services	1,392,494	1,392,494
Other Operating		
Expense	520,709	520,709

STATE HISTORIC

SITES		
Personal		
Services	1,410,083	1,410,083
Other Operating		
Expense	294,168	294,168
HISTORIC		
PRESERVATION		
DIVISION		
Personal		
Services	534,896	534,896
Other Operating		
Expense	51,348	51,348
OUTDOOR		
RECREATION		
DIVISION		
Personal		
Services	525,437	525,437
Other Operating		
Expense	188,074	188,074
SNOWMOBILE/OFFROAD		
VEHICLE LICENSING		
FUND		
Total Operating		
Expense	107,187	107,187
The foregoing appropriations for the snowmobile/offroad vehicle		
licensing fund are hereby appropriated from revenues accruing to the		
snowmobile/offroad licensing fund under the provisions of		
IC 14-1-3.5-4. With the approval of the governor and the budget		
agency, said appropriations may be augmented from revenue accruing		
to the snowmobile/offroad vehicle licensing fund.		
NATURE PRESERVES		
DIVISION		
Personal		
Services	418,372	418,372
Other Operating		
Expense	66,766	66,766
WATER DIVISION		
Personal		
Services	4,025,597	4,025,597
Other Operating		
Expense	1,635,695	1,635,695
All revenues accruing from state and local units of government and		
from private utilities and industrial concerns as the result of water		
resources study projects, and as a result of topographic and other		
mapping projects, shall be quietused into the state general fund, and		
such receipts are hereby appropriated, in addition to the foregoing		
amounts, for water resources studies.		
GREAT LAKES		
COMMISSION		
Other Operating		
Expense	46,000	46,000

## SOIL CONSERVATION

### DIVISION )

T by 2000

#### Personal

Services	2,450,173	2,450,173
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#### Other Operating

Expense	2,603,325	2,486,455
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Of the foregoing appropriations for the soil conservation division, four hundred sixty thousand dollars (\$460,000) is appropriated from the revenues accruing to the general fund during each state fiscal year and the remainder is appropriated from revenues accruing to the department of natural resources cigarette tax fund created by IC 6-7-1-29.1. With the approval of the governor and the budget agency, such sums may be augmented from the cigarette tax fund.

## LAKE AND RIVER

### ENHANCEMENT

#### Total Operating

Expense for the Biennium	1,660,000	
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The lake and river enhancement fund consists of revenues accruing to the department of natural resources under the provisions of IC 6-6-11-12. The foregoing appropriation for lake and river enhancement is hereby appropriated from revenues accruing to the lake and river enhancement fund. With the approval of the governor and the budget agency, such sums may be augmented from the lake and river enhancement fund.

## OIL AND GAS

### DIVISION

#### Personal

Services	716,119	714,119
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#### Other Operating

Expense	412,199	414,099
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The foregoing appropriations for the oil and gas division of the department of natural resources are hereby appropriated from revenues accruing to the oil and gas fund created by IC 6-8-1-27. With the approval of the governor and the budget agency, such sums may be augmented from revenue accruing to the oil and gas fund.

## STATE PARKS

### DIVISION

#### Personal

Services	11,434,050	11,628,225
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#### Other Operating

Expense	4,009,021	3,992,621
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The foregoing appropriations for operating and maintaining the state parks are hereby appropriated from revenues accruing to the state general fund in an amount not to exceed three million, nine hundred thirty-four thousand, six hundred ninety-seven dollars (\$3,934,697) for fiscal year 1995-96 and four million, one hundred seventy-two thousand, four hundred seventy-two dollars (\$4,172,472) for fiscal year 1996-97, and the balance from a fund known as the state parks fund, which shall be credited with all receipts resulting from the operating of



the state parks. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to said division. The department of natural resources may adopt rules and regulations establishing admission fees or service charges, or both, for all state parks and other suitable places for recreation, in accordance with IC 14-6-2-1.

#### LAW ENFORCEMENT

##### DIVISION

Personal		
Services	9,900,791	10,067,677
Other Operating		
Expense	2,641,679	2,661,954

The foregoing appropriations to the law enforcement division of the department of natural resources are from revenues accruing to the state general fund in an amount not to exceed six million, sixty-one thousand, four hundred seventy-three dollars (\$6,061,473) for fiscal year 1995-96 and six million, two hundred twenty-eight thousand, three hundred fifty-nine dollars (\$6,228,359) for fiscal year 1996-97, and the balance from revenue accruing to the fish and wildlife fund established by IC 14-3-1-16. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the division.

#### DEER RESEARCH AND

##### MANAGEMENT

Personal		
Services	1,000	1,000
Other Operating		
Expense	159,000	159,000

The foregoing appropriations for deer research and management are hereby appropriated from revenues accruing to the deer research and management fund created by IC 14-3-19-2. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to that fund.

#### FISH AND WILDLIFE

##### DIVISION

Personal		
Services	8,585,592	8,585,592
Other Operating		
Expense	4,155,034	4,095,054

The foregoing appropriations to the fish and wildlife division of the department of natural resources are hereby appropriated from revenues accruing to the fish and wildlife fund established by IC 14-3-1-16. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the division.

#### FORESTRY DIVISION

Personal		
Services	5,641,980	5,641,980
Other Operating		
Expense	1,389,847	1,389,847

The foregoing appropriations to the forestry division of the

department of natural resources are from revenues accruing to the state general fund in an amount not to exceed one million, ninety-eight thousand, seven hundred twenty-three dollars (\$1,098,723) for fiscal year 1995-96 and one million, ninety-eight thousand, seven hundred twenty-three dollars (\$1,098,723) for fiscal year 1996-97, and the balance from revenue accruing to the division of forestry created by IC 14-3-1. With the approval of the governor and the budget agency, the sums may be augmented from revenues accruing to said division. All money expended by the division of forestry of the department of natural resources for the detention and suppression of forest, grassland, and wasteland fires, shall be through the enforcement division of the department, and the employment with such money of all personnel, with the exception of emergency labor, shall be in accordance with IC 14-3-4.

RESERVOIR  
MANAGEMENT  
DIVISION

Personal		
Services	5,484,347	5,484,347
Other Operating		
Expense	1,764,713	1,764,713

The foregoing appropriations to the department of natural resources reservoir management division are from revenues accruing to the state general fund in an amount not to exceed four million, two hundred four thousand, four hundred fifty-three dollars (\$4,204,453) for fiscal year 1995-96 and four million, two hundred four thousand, four hundred fifty-three dollars (\$4,204,453) for fiscal year 1996-97, and the balance from revenues accruing to the reservoir management division. With the approval of the governor and the budget agency, the above sums may be augmented from revenues accruing to the reservoir management division.

RECLAMATION  
DIVISION

Total Operating		
Expense	1,427,000	1,427,000

For state fiscal year 1995-96 five hundred thousand dollars (\$500,000) and for state fiscal year 1996-97 five hundred thousand dollars (\$500,000) of the foregoing appropriations to the reclamation division of the department of natural resources are from the state general fund. The balance of the foregoing appropriations are from revenue accruing to the post-1977 abandoned mine reclamation fund as provided in IC 13-4.1-6-8 and the natural resources reclamation division fund as provided in IC 13-4.1-3-2.

In addition to any of the foregoing appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L. 88-578, are appropriated for the uses and purposes for which said funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the

provisions under which the funds were received.

LEGISLATORS' TREES

Total Operating

Expense for  
the Biennium 900

FOR THE WHITE  
RIVER PARK  
COMMISSION

Total Operating

Expense 731,956 731,956

FOR THE WORLD WAR  
MEMORIAL  
COMMISSION

Personal

Services 594,696 594,696

Other Operating

Expense 272,220 259,720

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, which are in excess of the costs of operation and maintenance of the space rented, shall be paid into the state general fund. The American Legion shall provide for the complete maintenance of the interior of these buildings.

FOR THE  
ST. JOSEPH  
RIVER BASIN  
COMMISSION

Total Operating

Expense 74,000 74,000

B. DEPARTMENT OF  
ENVIRONMENTAL  
MANAGEMENT

The purpose of the department of environmental management appropriations set forth below is the protection of the health and safety of the individual citizens of Indiana and of Indiana's natural environment.

FOR THE DEPARTMENT  
OF ENVIRONMENTAL  
MANAGEMENT  
ADMINISTRATION

Personal

Services 3,399,815 3,399,815

Other Operating

Expense 1,287,310 1,287,310

OFFICE OF LEGAL  
AFFAIRS AND  
ENFORCEMENT

Personal

Services 3,838,358 3,838,358

Other Operating

Expense 329,945 329,945

Of the above appropriations for legal affairs and enforcement, for each fiscal year 1995-96 and fiscal year 1996-97, three hundred thirty-five thousand, seven hundred forty-six dollars (\$335,746) is appropriated from revenues accruing to the Title V operating permit program trust fund created by IC 13-1-1-25, seventy-seven thousand, seven hundred ninety dollars (\$77,790) is appropriated from revenues accruing to the environmental management permit operating fund created by IC 13-7-16-6.5, four hundred seventeen thousand, one hundred sixty-seven dollars (\$417,167) is appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2, one hundred twenty-two thousand, one hundred sixty-three dollars (\$122,163) is appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-7-20-30, one hundred twenty-two thousand, one hundred sixty-three dollars (\$122,163) is appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2, one hundred twenty-two thousand, one hundred sixty-three dollars (\$122,163) is appropriated from revenues accruing to the underground petroleum storage tank excess liability fund created by IC 13-7-20-31, and twenty-four thousand, four hundred thirty-three dollars (\$24,433) is appropriated from revenues accruing to the asbestos trust fund created by IC 13-1-1-15. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the above funds. Of the balance of the appropriations, two million, nine hundred forty-six thousand, six hundred seventy-eight dollars (\$2,946,678) is appropriated from the general fund for each of fiscal year 1995-96 and fiscal year 1996-97.

OFFICE OF PUBLIC

POLICY AND  
PLANNING

Personal		
Services	179,082	179,082
Other Operating		
Expense	20,450	20,450

OHIO RIVER VALLEY  
WATER SANITATION  
COMMISSION

Other Operating		
Expense	143,844	143,844

AUTO EMISSIONS  
TESTING PROGRAM

Personal		
Services	50,604	51,161
Other Operating		
Expense	2,774,480	2,836,923

OFFICE OF  
ENVIRONMENTAL  
RESPONSE

Personal		
Services	3,081,808	3,081,808
Other Operating		

Expense	508,772	508,772
POLLUTION		
PREVENTION AND		
TECHNICAL		
ASSISTANCE		
Personal		
Services	1,031,133	1,031,133
Other Operating		
Expense	336,488	336,488
MIDWEST LOW LEVEL		
RADIOACTIVE WASTE		
COMMISSION		
Other Operating		
Expense	10,000	10,000
U.S. GEOLOGICAL		
SURVEY CONTRACTS		
Other Operating		
Expense	62,890	62,890
STATE SOLID WASTE		
GRANTS MANAGEMENT		
Personal		
Services	311,545	311,545
Other Operating		
Expense	1,814,324	1,814,324
The above appropriations for the state solid waste grants management are appropriated from revenues accruing to the state solid waste management fund established by IC 13-9.5-5-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the state solid waste management fund.		
WASTE TIRE		
MANAGEMENT		
Total Operating		
Expense	200,000	200,000
The above appropriations for waste tire management are appropriated from revenues accruing to the waste tire management fund established by IC 13-7-23-11. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the waste tire management fund.		
VOLUNTARY CLEAN-UP		
PROGRAM		
Other Operating		
Expense	62,500	62,500
The above appropriations for the voluntary clean-up program are appropriated from revenues accruing to the voluntary remediation fund established by IC 13-7-8.9-21. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the voluntary remediation fund.		
TITLE V AIR		
PERMIT PROGRAM		
Personal		
Services	6,550,773	6,550,773

Other Operating		
Expense	1,426,000	1,426,000

The above appropriations for the Title V air permit program are appropriated from revenues accruing to the Title V operating permit program trust fund established by IC 13-1-1-25. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the Title V operating permit program trust fund.

#### WATER MANAGEMENT PERMITTING

Personal		
Services	6,694,012	6,694,012
Other Operating		
Expense	870,127	870,127

#### SOLID WASTE MANAGEMENT PERMITTING

Personal		
Services	3,925,999	3,925,999
Other Operating		
Expense	1,134,121	1,134,121

#### HAZARDOUS WASTE MANAGEMENT PERMITTING

Personal		
Services	4,135,618	4,135,618
Other Operating		
Expense	753,856	753,856

Of the foregoing appropriations for water management permitting, solid waste management permitting, and hazardous waste management permitting, for each fiscal year 1995-96 and fiscal year 1996-97 from the state general fund, three million, four hundred forty-one thousand, nine hundred twenty-nine dollars (\$3,441,929) is appropriated for water management permitting; two million, three hundred twenty-four thousand, two hundred seventy dollars (\$2,324,270) is appropriated for solid waste permitting; two million, sixty-one thousand, six hundred twenty-four dollars (\$2,061,624) is appropriated for hazardous waste permitting, and the balance is appropriated from revenues accruing to the environmental management permit operation fund established by IC 13-7-16-6.5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management permit operation fund.

#### VOLUNTARY

##### COMPLIANCE

Personal		
Services	112,165	112,165
Other Operating		
Expense	237,835	237,835

The above appropriations for voluntary compliance are appropriated from revenues accruing to the voluntary compliance fund created by IC 13-10-1-5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the voluntary compliance fund.

#### ENVIRONMENTAL MANAGEMENT

#### SPECIAL FUND

##### Personal

Services	238,754	238,754
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##### Other Operating

Expense	1,261,246	1,261,246
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The above appropriations for the environmental management special fund operating expenses are appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

#### STATE PRETREATMENT

##### PROGRAM

##### Personal

Services	30,898	30,898
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##### Other Operating

Expense	3,817	3,817
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#### GROUNDWATER PROGRAM

##### Personal

Services	21,354	21,354
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##### Other Operating

Expense	10,569	10,569
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#### UNDERGROUND STORAGE

##### TANK PROGRAM

##### Personal

Services	53,567	53,567
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##### Other Operating

Expense	21,578	21,578
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The above appropriations for the underground storage tank program are appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-7-20-30. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank trust fund.

#### AIR MANAGEMENT

##### OPERATING

##### Personal

Services	3,348,407	3,348,407
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##### Other Operating

Expense	1,603,565	1,603,565
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Of the foregoing appropriations, one million, seven hundred fifty thousand dollars (\$1,750,000) is appropriated from the general fund for each of fiscal year 1995-96 and fiscal year 1996-97, and the balance is appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2. With approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

#### WATER MANAGEMENT

##### NON-PERMITTING

##### Personal

Services	1,021,818	1,021,818
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Other Operating Expense	416,707	416,707
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GREAT LAKES  
INITIATIVE

Other Operating Expense	95,000	95,000
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The above appropriations for the Great Lakes initiative are appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

SOLID WASTE

SUBTITLE D PROGRAM

Personal Services	5,212	5,212
Other Operating Expense	18,548	18,548

COASTAL MANAGEMENT

Personal Services	14,639	14,639
Other Operating Expense	7,993	7,993

OPERATOR TRAINING

Personal Services	41,118	41,118
Other Operating Expense	5,092	5,092

SAFE DRINKING

WATER

Personal Services	330,277	519,870
Other Operating Expense	309,865	120,130

Of the foregoing appropriations, six hundred thousand dollars (\$600,000) is appropriated from the general fund for each of fiscal year 1995-96 and fiscal year 1996-97, and the balance is appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund.

LEAKING UNDERGROUND

STORAGE TANKS

Personal Services	72,365	72,365
Other Operating Expense	31,600	31,600

The above appropriations for leaking underground storage tanks are appropriated from revenues accruing to the underground petroleum storage tank trust fund established by IC 13-7-20-30. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank



trust fund.

**CORE SUPERFUND**

Personal		
Services	20,203	20,203
Other Operating		
Expense	26,065	26,065

The above appropriations for the core superfund are appropriated from revenues accruing to the hazardous substances response trust fund established by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

**STATE REVOLVING**

**LOAN FUND )**

**OPERATING**

Total Operating		
Expense	139,973	139,973

**EXCESS LIABILITY**

Personal		
Services	374,973	374,973
Other Operating		
Expense	5,142,450	5,142,450

The above appropriations for excess liability are appropriated from revenues accruing to the underground petroleum storage tank excess liability fund established by IC 13-7-20-31. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank excess liability fund.

**HAZARDOUS WASTE**

**SITE ) STATE CLEAN-UP**

Personal		
Services	593,187	593,187
Other Operating		
Expense	3,712,627	3,712,627

The above appropriations for the hazardous waste site - state clean-up are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

**TITLE 3**

**COORDINATION**

Personal		
Services	51,000	51,000
Other Operating		
Expense	153,000	153,000

The above appropriations for the Title 3 coordination are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

**SUPERFUND MATCH**

**Other Operating**

Expense	1,979,934	1,979,934
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The above appropriations for the superfund match are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

#### HOUSEHOLD

##### HAZARDOUS WASTE

Personal		
Services	34,252	34,252
Other Operating		
Expense	258,000	258,000

The above appropriations for household hazardous waste are appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the hazardous substances response trust fund.

#### LABORATORY

##### CONTRACTS

Other Operating		
Expense	3,218,000	3,218,000

The foregoing appropriations for laboratory contracts are appropriated from the general fund in an amount not to exceed one million, nine hundred fifteen thousand, four hundred ninety-six dollars (\$1,915,496) for each of fiscal year 1995-96 and 1996-97. Of the balance of the appropriations for each fiscal year 1995-96 and 1996-97, six hundred forty-four thousand, five hundred four dollars (\$644,504) is appropriated from revenues accruing to the environmental management special fund created by IC 13-7-13-2, and six hundred fifty-eight thousand dollars (\$658,000) is appropriated from revenues accruing to the hazardous substances response trust fund created by IC 13-7-8.7-2. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the environmental management special fund and the hazardous substances response trust fund.

#### ASBESTOS TRUST

##### OPERATING

Personal		
Services	602,079	602,079
Other Operating		
Expense	46,500	46,500

The above appropriations for asbestos trust operating are appropriated from revenues accruing to the asbestos trust fund established by IC 13-1-1-15. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the asbestos trust fund.

#### PETROLEUM TRUST

##### OPERATING

Personal		
Services	336,249	336,249
Other Operating		

Expense	439,500	439,500
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The above appropriations for petroleum trust operating are appropriated from revenues accruing to the underground petroleum storage tank trust fund created by IC 13-7-20-30. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the underground petroleum storage tank trust fund.

FOR THE HAZARDOUS  
WASTE FACILITY  
SITE  
APPROVAL  
AUTHORITY

Total Operating

Expense	123,981	123,981
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The foregoing appropriations are from the environmental management special fund created by IC 13-7-13-2. With the approval of the governor and the budget agency, such sums may be augmented from the environmental management special fund.

FOR THE POLLUTION  
PREVENTION  
INSTITUTE

Total Operating

Expense	452,500	452,500
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**1995-340-6**

SECTION 6. ECONOMIC DEVELOPMENT

Year	Year
1995-96	1996-97

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE  
LIEUTENANT GOVERNOR  
STANDARD BRED BOARD  
OF REGULATION

Total Operating

Expense	134,000	134,000
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OFFICE OF THE  
COMMISSIONER OF  
AGRICULTURE

Personal

Services	897,731	897,731
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Other Operating

Expense	608,160	608,160
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B. COMMERCE

FOR THE DEPARTMENT  
OF COMMERCE  
ADMINISTRATIVE  
AND FINANCIAL  
SERVICES

Personal

Services	1,581,855	1,581,855
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Other Operating Expense	1,446,439	1,446,439
BUSINESS DEVELOPMENT		
Personal Services	1,003,345	1,003,345
Other Operating Expense	189,823	189,823
TOURISM AND FILM DEVELOPMENT		
Personal Services	701,285	701,285
Other Operating Expense	318,773	318,773
INTERNATIONAL TRADE		
Personal Services	1,673,189	1,673,189
Other Operating Expense	224,760	224,760
COMMUNITY ECONOMIC DEVELOPMENT		
Personal Services	501,559	501,559
Other Operating Expense	175,033	175,033
OFFICE OF ENERGY POLICY		
Personal Services	180,068	180,068
Other Operating Expense	46,650	46,650
SCHOOLS AND HOSPITALS		
Total Operating Expense	41,166	41,166
ENERGY IMPLEMENTATION GRANT		
Total Operating Expense	96,794	96,794
ENTERPRISE ZONE FUND		
Total Operating Expense	147,433	147,433

The foregoing appropriations for the enterprise zone fund of the department of commerce are hereby appropriated from the revenues accruing to the fund as created by IC 4-4-6.1. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the enterprise zone fund.

#### RECYCLING OPERATING

Personal		
Services	86,506	86,506
Other Operating		
Expense	23,567	23,567

#### RECYCLING PROMOTION AND ASSISTANCE PROGRAM

Total Operating		
Expense	1,500,000	1,500,000

The above appropriations for recycling operating and recycling promotion and assistance are made from the Indiana recycling promotion and assistance fund in accordance with the provisions of IC 4-23-5.5. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to the Indiana recycling promotion and assistance fund.

#### WASTE TIRE MANAGEMENT

Total Operating		
Expense	693,661	693,661

The above appropriations for waste tire management expenses are appropriated from revenues accruing to the waste tire management fund in accordance with the provisions of IC 13-7-23-11. With the approval of the governor and the budget agency, these appropriations may be augmented from revenues accruing to the waste tire management fund.

#### BUSINESS AND TOURISM PROMOTION FUND

Total Operating		
Expense for the Biennium	8,000,000	

#### COMMUNITY PROMOTION MATCHING FUND

Total Operating		
Expense for the Biennium	500,000	

#### ECONOMIC DEVELOPMENT FUND

Total Operating		
Expense for the Biennium	6,759,748	

Five million, two hundred fifty-nine thousand, seven hundred forty-eight dollars (\$5,259,748) of the above appropriation for the economic development fund shall be transferred from the job creation and economic development fund created by IC 4-30-17-3.5. The transferred funds shall be used for the purposes set forth in IC 4-30-17-7.5. Notwithstanding any provision of any other act enacted in the First Regular Session of the One Hundred Ninth General

Assembly, IC 4-30-17-7.5 is not repealed and remains in effect.

INDUSTRIAL

DEVELOPMENT

GRANT FUND

Total Operating  
Expense for  
the Biennium

8,400,000

LOCAL ECONOMIC

DEVELOPMENT

ORGANIZATION/

REGIONAL

ECONOMIC

DEVELOPMENT

ORGANIZATION

(LEDO/REDO)

MATCHING GRANT

PROGRAM

Total Operating  
Expense for  
the Biennium

2,000,000

STRATEGIC

DEVELOPMENT FUND

Total Operating  
Expense for  
the Biennium

500,000

TOURISM

INFORMATION AND

PROMOTION FUND

Total Operating  
Expense

300,000

300,000

TRADE PROMOTION FUND

Total Operating  
Expense

200,000

200,000

TRAINING 2000

FUND

Total Operating  
Expense for  
the  
Biennium

26,000,000

BUSINESS

MODERNIZATION

AND TECHNOLOGY

CORPORATION

Total Operating  
Expense for  
the  
Biennium

11,817,000

ECONOMIC

DEVELOPMENT

COUNCIL

Total Operating

Expense	350,000	350,000
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INDIANA DEVELOPMENT  
FINANCE AUTHORITY  
(IDFA)  
PROJECT GUARANTY  
FUND

Total Operating Expense for the Biennium	1,000,000	
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ECONOMIC DEVELOPMENT  
TRAINING

Total Operating Expense for the Biennium		4,800,000
--	--	-----------

The above appropriation shall be made prior to June 30, 1997, and shall be used for businesses located in an economic development district established under IC 6-1.1-39 and located in a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600). The appropriation is made to enable the state to fully satisfy any and all commitments or obligations that may exist regarding screening, assessment, training, or other costs related to the hiring of new employees arising out of a Memorandum of Understanding dated December 1, 1986.

BUSINESS  
DEVELOPMENT  
LOAN FUND

Total Operating Expense for the Biennium	2,000,000	
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CAPITAL ACCESS  
PROGRAM

Total Operating Expense for the Biennium	2,000,000	
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The above appropriation for the capital access program may be used as the state match requirement for the federal capital access program. Of the foregoing appropriation, up to five hundred thousand dollars (\$500,000) may be used for multi-bank community development corporation start-up grants.

LABOR/MANAGEMENT  
COUNCIL

Total Operating Expense	400,000	400,000
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SMALL BUSINESS  
DEVELOPMENT  
CORPORATION  
(SBDC)

Total Operating Expense	1,540,000	1,540,000
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Of the foregoing appropriation for the small business development

corporation (SBDC), five hundred thousand dollars (\$500,000) shall be allocated to the minority business financial assistance program to capitalize the SBDC microloan program.

SBDC, SMALL  
BUSINESS  
INCUBATOR FUND

Total Operating		
Expense for		
the Biennium	500,000	

The budget agency may not make an allotment of funds appropriated to the business and tourism promotion fund, the industrial development grant fund, the LEDO/REDO matching grant program, the strategic development fund, the training 2000 fund, the business modernization and technology corporation, the IDFA project guaranty fund, or the SBDC small business incubator fund until the state budget committee has reviewed the sums requested for allotment.

INDIANAPOLIS  
AIRPORT  
AUTHORITY )  
INDIANA  
TRANSPORTATION  
FINANCE  
AUTHORITY )  
AIRPORT  
FACILITIES

Total Operating		
Expense	15,198,191	15,485,326

C. EMPLOYMENT SERVICES  
FOR THE DEPARTMENT  
OF WORKFORCE  
DEVELOPMENT,  
DIVISION OF  
EMPLOYMENT  
AND TRAINING  
SERVICES, OFFICE  
OF OCCUPATIONAL  
DEVELOPMENT-  
O.I.C.

Total Operating		
Expense	200,000	200,000

The above appropriations for the department of workforce development, division of employment and training services shall be used to carry out the purposes of IC 22-4-40.

TRAINING PROGRAMS

Total Operating		
Expense	3,280,000	3,280,000

ADMINISTRATION

Total Operating		
Expense	1,180,834	1,150,834

OFFICE OF  
WORKFORCE



LITERACY		
Total Operating		
Expense	620,188	770,188
VOCATIONAL		
EDUCATION		
EQUIPMENT		
REPLACEMENT		
ALLOCATION		
Distribution	1,500,000	1,500,000

Transfer appropriations shall be made to the respective institution's operating accounts by the auditor of state based on the allocations specified below:

INDIANA		
UNIVERSITY-		
REGIONAL		
CAMPUSES		
EAST		
Total Operating		
Expense		
Allocation	15,840	15,840
KOKOMO		
Total Operating		
Expense		
Allocation	12,048	12,048
NORTHWEST		
Total Operating		
Expense		
Allocation	30,342	30,342
SOUTH BEND		
Total Operating		
Expense		
Allocation	13,832	13,832
INDIANA		
UNIVERSITY-		
PURDUE		
UNIVERSITY		
AT INDIANAPOLIS		
(IUPUI)		
Total Operating		
Expense		
Allocation	51,611	51,611
INDIANA		
UNIVERSITY-		
PURDUE		
UNIVERSITY		
AT FORT WAYNE		
Total Operating		
Expense		
Allocation	40,233	40,233
PURDUE		
UNIVERSITY		

LAFAYETTE		
CAMPUS		
Total Operating		
Expense		
Allocation	40,010	40,010
CALUMET		
Total Operating		
Expense		
Allocation	29,152	29,152
NORTH CENTRAL		
Total Operating		
Expense		
Allocation	22,533	22,533
INDIANA STATE		
UNIVERSITY		
Total Operating		
Expense		
Allocation	12,048	12,048
BALL STATE		
UNIVERSITY		
Total Operating		
Expense		
Allocation	18,294	18,294
VINCENNES		
UNIVERSITY		
Total Operating		
Expense		
Allocation	134,829	134,829
INDIANA		
VOCATIONAL		
TECHNICAL		
COLLEGE		
Total Operating		
Expense		
Allocation	1,079,228	1,079,228

**1995-340-7**

SECTION 7. TRANSPORTATION

Year	Year
1995-96	1996-97

DEPARTMENT OF TRANSPORTATION

For the conduct and operation of the department of transportation, the following sums are hereby appropriated for the periods of time herein designated, from the state general fund, the public mass transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway fund, the distressed road fund, the state highway road construction and improvement fund, and the motor carrier regulation fund.

A. ADMINISTRATION

Personal		
Services	489,079	507,269

Other Operating

Expense	155,585	157,116
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Of the funds appropriated for fiscal year 1995-96 one hundred seventy-four thousand, fifty-eight dollars (\$174,058) is appropriated from the public mass transportation fund established under IC 8-23-3-8; twenty-five thousand, seven hundred eighty-six dollars (\$25,786) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; seventy-two thousand, two hundred three dollars (\$72,203) is appropriated from the state general fund; and three hundred seventy-two thousand, six hundred seventeen dollars (\$372,617) is appropriated from the state highway fund.

Of the funds appropriated above for fiscal year 1996-97, one hundred seventy-nine thousand, three hundred eighty-three dollars (\$179,383) is appropriated from the public mass transportation fund established under IC 8-23-3-8; twenty-six thousand, five hundred seventy-six dollars (\$26,576) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; seventy-four thousand, four hundred eleven dollars (\$74,411) is appropriated from the state general fund; and three hundred eighty-four thousand, fifteen dollars (\$384,015) is appropriated from the state highway fund.

The above appropriations may be used to match federal funds available for planning and administration of transportation programs in Indiana. With the approval of the governor and the budget agency, said sums may be augmented from the public mass transportation fund, the industrial rail service fund, the general fund and the state highway fund.

B. INTERMODAL

OPERATING

Total Operating

Expense	1,485,415	1,535,091
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Of the funds appropriated above for intermodal operating for the fiscal year 1995-96, five hundred thirteen thousand, nine hundred seventy-one dollars (\$513,971) is appropriated from the public mass transportation fund established under IC 8-23-3-8; two hundred eighty-seven thousand, sixty-eight dollars (\$287,068) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; four hundred sixty-eight thousand, sixty-seven dollars (\$468,067) is appropriated from the state general fund; and two hundred sixteen thousand, three hundred nine dollars (\$216,309) is appropriated from the state highway fund.

Of the funds appropriated above for intermodal operating for fiscal year 1996-97, five hundred sixteen thousand, two hundred forty dollars (\$516,240) is appropriated from the public mass transportation fund established under IC 8-23-3-8; two hundred ninety-four thousand, three hundred fifty-one dollars (\$294,351) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2; five hundred thousand, seven hundred dollars (\$500,700) is appropriated from the state general fund; and two hundred twenty-three thousand, eight hundred dollars (\$223,800) is appropriated from the state highway fund.

The above appropriations from the general fund include funds eligible for federal reimbursement for planning and administration of

intermodal transportation programs. The department shall promptly apply to the federal government for all eligible costs and shall promptly deposit any reimbursement received into the state general fund.

#### INTERMODAL

##### GRANT PROGRAM

###### Total Operating

Expense	13,429	27,286
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Of the funds appropriated above for the intermodal grant program for fiscal year 1995-96, six thousand four hundred twenty-nine dollars (\$6,429) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2, and seven thousand dollars (\$7,000) is appropriated from the state general fund. Of the funds appropriated above for the intermodal grant program for fiscal year 1996-97, six thousand six hundred eighty-six dollars (\$6,686) is appropriated from the industrial rail service fund established under IC 8-3-1.7-2 and twenty thousand, six hundred dollars (\$20,600) is appropriated from the state general fund.

The above appropriations for intermodal operating and intermodal grant programs, with the approval of the governor and the budget agency, may be augmented from funds accruing to the industrial rail service fund and the state general fund for the specific activities of the respective fund or funds.

#### PUBLIC MASS

##### TRANSPORTATION

###### Matching

Funds	20,704,029	21,337,759
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The above appropriations for matching funds are appropriated from the public mass transportation fund.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The allocations made by the department of transportation must include municipal corporations that received public mass transportation funds in state fiscal year 1986. The department of transportation may not allocate funds to any municipal corporations that did not receive public mass transportation funds in state fiscal year 1986. However, if the provider of mass transportation services for a municipal corporation changes, the department of transportation may allocate funds to the municipal corporation.

The state funds can be used to match federal funds available under the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601, et seq.), or local funds from a requesting municipal corporation (as defined in IC 36-1-2-10).

Before funds may be disbursed to a municipal corporation, the corporation must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the state budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those corporations which have met the reporting

requirements under IC 8-23-3 are eligible for assistance under this appropriation.

Should the balance in the public mass transportation fund exceed the above appropriations, said excess amount is hereby appropriated to be used by the department of transportation, with the approval of the governor and the budget agency.

**C. HIGHWAY**

**OPERATING**

Personal

Services

155,358,399

160,384,818

Other Operating

Expense

39,713,997

37,076,918

**HIGHWAY VEHICLE**

**AND ROAD**

**MAINTENANCE**

**EQUIPMENT**

Other Operating

Expense

12,403,652

13,092,835

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for personal services, equipment, and other operating expense, including the cost of transportation for the governor.

**HIGHWAY**

**BUILDINGS AND**

**GROUND**

Total Operating

Expense for

the

Biennium

22,059,373

The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping new highway facilities and for maintenance, repair, and rehabilitation on existing state highway facilities.

**HIGHWAY PLANNING**

**AND RESEARCH**

**PROGRAM**

Total Operating

Expense

1,470,694

1,528,545

**D. HIGHWAY CAPITAL**

**IMPROVEMENTS**

**PROGRAM**

**HIGHWAY**

**MAINTENANCE**

**WORK PROGRAM**

Other Operating

Expense

55,212,566

57,421,070

The above appropriations for the highway maintenance work program may be used for:

- (1) patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic

- control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

#### HIGHWAY CAPITAL

##### IMPROVEMENTS

Right of Way	9,000,000	9,000,000
Formal		
Contracts	147,747,799	148,221,506
Consulting		
Services	13,554,688	13,503,980

Five million dollars (\$5,000,000) of the above appropriation for formal contracts for state fiscal year 1995-96 shall be augmented from the state general fund.

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for said projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

Such uses constitute new highway construction for purposes of IC 4-30-17.

The foregoing appropriations for highway operating, highway vehicles and road maintenance equipment, highway buildings and grounds, highway planning and research program, highway maintenance work program, and highway capital improvements are appropriated from estimated revenues which include the following:

- (1) Funds distributed to the state highway fund from the motor vehicle highway account pursuant to IC 8-14-1-3(4).
- (2) Funds distributed to the state highway fund from the highway, road and street fund pursuant to IC 8-14-2-3.
- (3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund pursuant to IC 8-23-9-54.
- (4) Any unencumbered funds carried forward in the state highway fund from any previous fiscal year.

(5) All other funds appropriated or made available to the department by the general assembly.

If funds from sources set out above for the department exceed appropriations from those sources to the department, said excess amount is hereby appropriated to be used at the discretion of the department with approval of the governor and the budget agency for the conduct and operation of the department.

Should there be a change in statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department and approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

WEIGH STATION  
IMPROVEMENTS

Total Operating		
Expense	1,000,000	1,000,000

The foregoing appropriations for weigh station improvements are from the motor carrier regulation fund established by IC 8-2.1-23-1. With the approval of the governor and the budget agency, said sums may be augmented from funds accruing to the motor carrier regulation fund.

STATE HIGHWAY  
ROAD  
CONSTRUCTION  
AND IMPROVEMENT  
PROGRAM

Formal		
Contracts	1,617,409	2,577,809
Lease Rental		
Payments	27,982,581	27,842,191

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds may be used for:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, and to include state road 46 west;
- (3) relocation and modernization of existing roads;
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects; and
- (5) payment of rentals and leases relating to projects under

IC 8-14.5.

The above appropriations, with the approval of the governor and the budget agency, may be augmented from funds accruing to the state highway road construction and improvement fund.

FEDERAL

APPORTIONMENT

Right-of-Way	16,000,000	16,000,000
Formal		
Contracts	273,708,016	273,485,342
Consulting		
Engineers	14,445,312	14,496,020
Highway		
Planning		
and Research	4,446,672	4,618,638
Local		
Government		
Revolving		
Account	101,250,000	101,250,000

The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill the federal government for all department payments that are eligible for total or partial reimbursement in a timely manner.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 1995-97 biennium which obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Pursuant to IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where said highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is hereby appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Pursuant to IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

E. LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Pursuant to IC 8-14-1-3(6), there is appropriated to the department of transportation an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(6); and



(2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension, in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Pursuant to IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Pursuant to IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

**1995-340-8**

SECTION 8.	Year 1995-96	Year 1996-97
FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS		
A. FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION		
FAMILY AND SOCIAL SERVICES ADMINISTRATION		
Total Operating Expense	11,428,458	11,428,458
HEALTH, FAMILY AND SOCIAL SERVICES COORDINATING ACCOUNT		
Total Operating Expense	170,822	170,822
COMMISSION FOR THE STATUS OF BLACK MALES		
Total Operating Expense	50,000	50,000
FOR THE BUDGET AGENCY FSSA/DEPARTMENT OF HEALTH INSTITUTIONAL		

CONTINGENCY FUND

Total Operating

Expense for  
the Biennium 6,000,000

The above institutional contingency fund shall be allotted upon the recommendation of the budget agency with approval of the governor. This appropriation shall be used to supplement individual hospital, state developmental center, and special institutions budgets.

FOR THE FAMILY

AND SOCIAL

SERVICES

ADMINISTRATION

OFFICE

OF MEDICAID

POLICY AND

PLANNING

OFFICE ADMINISTRATION

Total Operating

Expense 3,445,976 3,445,976

MEDICAID ) CURRENT

OBLIGATIONS

Total Operating

Expense 878,387,473 967,374,965

Of the foregoing appropriations for Medicaid ) Current Obligations, thirty-five million dollars (\$35,000,000) in each fiscal year is hereby appropriated from the state hospital care for the indigent fund established by IC 12-16-14-6, notwithstanding the provisions of IC 12-16, and the balance from the general fund.

MEDICAID )

ADMINISTRATION

Total Operating

Expense 14,057,821 13,870,321

The foregoing appropriations for Medicaid assistance and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which such money was allocated and paid to this state. Subject to the provisions of SEA 478-1995, if the sums herein appropriated for Medicaid assistance and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the state general fund such further sums as may be necessary for such purpose subject to the approval of the governor and the budget agency.

DIVISION

OF MENTAL

HEALTH

Personal

Services 2,014,593 2,014,593

Other Operating Expense	256,746	256,746
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PSYCHIATRIC RESEARCH

Other Operating Expense	224,980	224,980
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WORK PROGRAM

FOR THE

CHRONICALLY

MENTALLY ILL

Other Operating Expense	373,448	373,448
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RESIDENTIAL

SERVICES FOR

THE MENTALLY ILL

Other Operating Expense	21,642,875	22,292,162
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The division of mental health must assure that consideration be given to the care and placement of emotionally disturbed children when allocating the above appropriations for residential services for mentally ill persons.

COMMUNITY MENTAL

ILLNESS CLINICS

Other Operating Expense	194,353	194,353
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The above appropriations to the division of mental health community mental illness clinics may be augmented, with the approval of the governor and the budget agency, from funds accruing to the social services block grant-purchase of social services contingency fund pursuant to IC 12-13-10 for the purpose of reimbursing the foregoing appropriations for expenditures made therefrom which qualify for participation in the social services block grant purchase of social services program.

COMPREHENSIVE

COMMUNITY

MENTAL HEALTH

SERVICES

Total Operating Expense	54,371,619	56,002,767
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The foregoing appropriations for the division of mental health comprehensive community mental health services are from revenues accruing to the state general fund in the following amounts: for fiscal year 1995-96 forty-nine million, nine hundred twenty-six thousand, six hundred nineteen dollars (\$49,926,619); for fiscal year 1996-97, fifty-one million, five hundred fifty-seven thousand, seven hundred sixty-seven dollars (\$51,557,767); and the balance from revenues accruing to the mental health center fund as established under IC 6-7-1. With the approval of the governor and the budget agency, these sums may be augmented from revenues accruing to the mental health centers fund. The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year.

All federal funds shall be applied in augmentation of the foregoing funds rather than in lieu of any portion of said funds.

The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option. With the approval of the governor and the budget agency, three million, three hundred thousand dollars (\$3,300,000) of this appropriation may be transferred to the division of mental health community transition fund each year of the biennium.

ALCOHOL AND  
DRUG SERVICES  
COURT  
REMISSIONS

Total Operating		
Expense	3,245,946	3,245,946

Of the above appropriations to alcohol and drug services court remissions, the following amounts are appropriated from revenues accruing to the court remission fund pursuant to IC 12-23-14: two hundred ninety-six thousand, seven hundred ninety-five dollars (\$296,795) for fiscal year 1995-96 and two hundred ninety-six thousand, seven hundred ninety-five dollars (\$296,795) for fiscal year 1996-97. However, if the receipts are less than the appropriation, the division shall not spend more than is collected. The balance of the above appropriations is from revenue accruing to the addiction services fund authorized pursuant to IC 12-23-2.

MENTAL HEALTH  
COMMUNITY  
TRANSITION  
FUND

Total Operating		
Expense	15,458,179	15,458,179

EVANSVILLE  
PSYCHIATRIC  
CHILDREN'S  
CENTER

Personal		
Services	2,025,369	2,025,369
Other Operating		
Expense	153,911	153,911

EVANSVILLE  
STATE HOSPITAL

Personal		
Services	17,472,508	17,472,508
Other Operating		
Expense	2,720,326	2,720,326

LARUE D.  
CARTER MEMORIAL  
HOSPITAL

Personal		
Services	13,876,702	13,876,702
Other Operating		

Expense	2,268,362	2,268,362
LOGANSPORT		
STATE HOSPITAL		
Personal		
Services	27,633,325	27,633,325
Other Operating		
Expense	3,696,713	3,696,713
MADISON STATE		
HOSPITAL		
Personal		
Services	17,648,328	17,648,328
Other Operating		
Expense	2,677,561	2,677,561
RICHMOND		
STATE HOSPITAL		
Personal		
Services	20,229,571	20,229,571
Other Operating		
Expense	3,045,552	3,045,552
PATIENT PAYROLL		
Total Operating		
Expense	320,000	320,000
TOTAL	113,448,228	113,448,228

The foregoing appropriations for the division of mental health institutions are from revenues accruing to the state general fund in the following amounts: for fiscal year 1995-96, up to ninety-two million, nine hundred sixty-six thousand, twenty-eight dollars (\$92,966,028); for fiscal year 1996-97, up to ninety-two million, four hundred eleven thousand, seven hundred twenty-eight dollars (\$92,411,728); and the balance from revenues accruing to the mental health fund established by IC 12-24-14.

Sixty-six percent (66%) of the revenues accruing to the above named state mental health institutions pursuant to IC 12-15 shall be deposited in the mental health fund established by IC 12-24-14, and thirty-four percent (34%) of the revenues accruing to the above named institutions pursuant to IC 12-15 shall be deposited in the state general fund.

In addition to the above appropriations each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%) but not to exceed fifty thousand dollars (\$50,000) in each fiscal year, of the amount in which actual net collections exceed an amount specified in writing by the division of mental health prior to July 1 of each year beginning July 1, 1995.

DIVISION  
OF FAMILY AND  
CHILDREN SERVICES

Personal		
Services	4,090,070	4,090,070
Other Operating		
Expense	1,681,747	1,681,747
PERSONAL SERVICES		

REIMBURSEMENT  
TO COUNTIES  
INCLUDING PERF,  
HEALTH  
INSURANCE, AND  
LIFE INSURANCE

Total Operating		
Expense	42,679,783	42,455,512
SPECIAL NEEDS		
ADOPTION		
Personal		
Services	232,043	232,043
Other Operating		
Expense	29,250	29,250

TITLE IV-D OF THE  
FEDERAL SOCIAL  
SECURITY ACT  
(STATE MATCH)

Total Operating		
Expense	5,952,688	5,995,731

The foregoing appropriations for the division of family and children Title IV-D of the federal Social Security Act are made pursuant to, and not in addition to, IC 12-17-2-31.

STATE WELFARE  
FUND ) COUNTY  
ADMINISTRATION

Total Operating		
Expense	29,683,004	30,276,664

Without the approval of the governor and the budget agency, the amount of federal administrative allowance transferred to the state welfare fund-county administration shall not exceed sixty million, one hundred forty-seven thousand, six hundred eighty-seven dollars (\$60,147,687) in fiscal year 1995-96 and sixty million, eight hundred thirty thousand, four hundred three dollars (\$60,830,403) in fiscal year 1996-97.

The above appropriations to the division of family and children state welfare fund-county administration may be augmented, with the approval of the governor and the budget agency, from funds accruing to the social services block grant purchase of social services contingency fund pursuant to IC 12-13-10 for the purpose of reimbursing the foregoing appropriations for expenditures made therefrom which qualify for participation in the social services block grant purchase of social services program.

The above appropriations for the state welfare fund are from revenue accruing to the fund authorized pursuant to IC 12-19-4. These sums may be augmented, with the approval of the governor and the budget agency, from revenues accruing to said fund.

ADOPTION  
ASSISTANCE

Total Operating		
Expense	2,728,951	3,137,980

TITLE IV-B CHILD  
WELFARE

Total Operating Expense	1,622,259	1,747,194
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NON-RECURRING  
ADOPTION  
ASSISTANCE

Total Operating Expense	113,750	113,750
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ADOPTION  
OPPORTUNITIES

Total Operating Expense	50,000	50,000
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The foregoing appropriations for Title IV-B child welfare, non-recurring adoption assistance, adoption assistance, and adoption opportunities represent the maximum state match for Title IV-B.

MEDICAID

DISABILITY  
ELIGIBILITY  
EXAMS

Total Operating Expense	750,000	750,000
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IMPACT (JOBS)  
PROGRAM (AFDC  
RECIPIENTS)

Total Operating Expense	13,254,442	13,254,442
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IMPACT PROGRAM  
(FOOD STAMPS  
RECIPIENTS)

Total Operating Expense	8,609,203	8,609,203
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BURIAL  
REIMBURSEMENT  
- AFDC

Total Operating Expense	78,000	78,000
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PUBLIC ASSISTANCE  
(AFDC)

Total Operating Expense	64,061,465	69,500,302
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The foregoing appropriations for public assistance (AFDC), burials, and the IMPACT (JOBS) program are for the purpose of enabling the division of family and children to carry out all services as provided in IC 12-13. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the state division of family and children for the respective purposes for which such money was allocated and paid to this state. Subject to the provisions of SEA 478-1995, if the sums herein appropriated for public assistance and for the IMPACT (JOBS) work programs are insufficient

to enable the division of family and children to meet its obligations, then there is appropriated from the state general fund such further sums as may be necessary for such purpose subject to the approval of the governor and the budget agency.

DOMESTIC VIOLENCE  
PREVENTION AND  
TREATMENT  
PROGRAM

Total Operating		
Expense	1,121,098	1,121,098

The above appropriations for domestic violence shall be paid from receipts to the domestic violence prevention and treatment fund created by IC 12-18-4; provided that if revenues accruing to said fund are greater than the appropriations, the appropriations for grants only may be augmented to the limit of revenues with the approval of the governor and the budget agency.

PROJECT SAFE  
PLACE

Total Operating		
Expense	125,000	125,000

STEP AHEAD

Total Operating		
Expense	3,682,995	3,682,995

CHEESE

COMMODITIES

Total Operating		
Expense	146,000	146,000

YOUTH SERVICE

BUREAU FUND

Total Operating		
Expense	600,000	600,000

The executive director of the division of family and children shall establish standards for youth service bureaus. Any youth service bureau that is not an agency of a unit of local government or is not registered with the Indiana secretary of state as a nonprofit corporation shall not be funded. The division of family and children shall fund all youth service bureaus that meet the standards as established June 30, 1983.

EARLY CHILDHOOD

INTERVENTION  
SERVICES

Total Operating		
Expense for		
the Biennium	4,347,000	

SCHOOL AGE CHILD

CARE PROJECT

FUND

Total Operating		
Expense	550,000	550,000

The above appropriations for the school age child care project fund include the appropriation made in IC 6-7-1-30.2.

CHILD ABUSE



## PREVENTION

### Total Operating

Expense	241,000	241,000
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The above appropriations for child abuse prevention shall be paid from receipts to the child abuse prevention fund created by IC 12-18-1; provided that if revenues accruing to said fund are greater than the appropriations, the appropriations for grants only may be augmented to the limit of revenues with the approval of the governor and the budget agency.

## SOCIAL SERVICES

### BLOCK GRANT )

### PURCHASE OF

### SOCIAL SERVICES

### CONTINGENCY FUND

### Total Operating

### Expense for

### the

### Biennium

34,690,608
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It is the intent of the general assembly that the above appropriated funds, combined with federal social services block grant funds, be used in the following manner during the biennium:

### Division of Disability,

### Aging, and

### Rehabilitative Services:

30,788,432
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30,735,084
------------

### Division of

### Family and

### Children,

### Child

### Welfare

### Services:

14,583,994
------------

14,558,724
------------

### Division of

### Family and

### Children, Child

### Development

### Services:

16,125,391
------------

16,097,451
------------

### Division of

### Family and

### Children,

### Family

### Protection

### Services:

5,841,503
-----------

5,831,380
-----------

### Division of

### Mental

### Health:

6,260,446
-----------

6,249,598
-----------

### State Department of

### Health:

758,842
---------

757,527
---------

### Department of

### Correction:

4,537,243
-----------

4,529,381
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In the event that additional federal dollars become available, the governor and the budget agency may augment the total dollars allocated to any agency. In the event that fewer dollars become

available, the governor and the budget agency may reduce the total dollars allocated to any agency. The above appropriations for the division of family and children-family protection services include funds for child abuse prevention programs.

These appropriations for the social services block grant purchase of social services contingency fund shall be used for continuing a supplement of purchase of social services contracts in accordance with the purposes of IC 12-13-10.

The social services block grant allocation for the division of mental health may be allotted to local agencies subject to the review of each local agency's budget by the budget agency. This review must include a detailed statement of revenue available to the local agency, including social services block grant funds, and a statement of estimated expenditures per program. Furthermore, the division of disability, aging, and rehabilitative services shall establish a uniform reporting system for agencies funded by this appropriation and shall make that information available to the budget agency not later than September 30 of each fiscal year.

FOR THE STATE  
BUDGET AGENCY  
MEDICAL SERVICE  
PAYMENTS

Total Operating		
Expense	13,000,000	13,000,000

These appropriations for medical service payments are made to pay for medical services for committed individuals and patients of institutions under the jurisdiction of the department of correction, the state department of health, or the division of mental health if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations to the budget agency are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13.4.

FOR THE FAMILY  
AND SOCIAL  
SERVICES  
ADMINISTRATION  
DIVISION  
OF DISABILITY, AGING, AND  
REHABILITATIVE  
SERVICES  
AGING SERVICES

Total Operating		
Expense	355,412	355,412

#### C.H.O.I.C.E. IN-HOME SERVICES

##### Total Operating

Expense	25,902,364	28,052,687
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The foregoing appropriations for C.H.O.I.C.E./In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.

If the above appropriations for C.H.O.I.C.E./In-Home Services are insufficient to provide services to all eligible persons, the division of disability, aging, and rehabilitative services may give priority for services to persons who are unable to perform more than two (2) activities of daily living (as defined in IC 12-10-10-1.5). The division of disability, aging, and rehabilitative services may discontinue conducting assessments for individuals applying for services under the C.H.O.I.C.E./In-Home Services program if a waiting list for such services exists.

The division of disability, aging, and rehabilitative services shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the state budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the state budget committee, the budget agency, or the legislative council, including the following: the number and demographic characteristics of the recipients of home care during the preceding fiscal year; the total cost and per recipient cost of providing home care services during the preceding fiscal year; the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities. The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the state budget committee, the budget agency, and the legislative council.

#### OLDER HOOSIERS

##### ACT

##### Total Operating

Expense	1,909,847	1,909,847
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The above appropriations for the older Hoosiers act include funds for the community and home options to institutional care for the elderly and disabled program of IC 12-10-10. With the approval of the governor and the budget agency, part of the foregoing appropriations for the older Hoosiers act may be transferred to offset shortfalls in the appropriations for adult protection services or adult guardianship services.

#### ADULT PROTECTION SERVICES

##### Total Operating

Expense	558,000	558,000
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With the approval of the governor and the budget agency, part of the foregoing appropriations for adult protection services may be

transferred to offset shortfalls in the appropriations for the older hoosiers act or for adult guardianship services.

**OBRA PREADMISSION**

**SCREENING**

Total Operating		
Expense	37,538	37,538

**ADULT GUARDIANSHIP**

**SERVICES**

Personal		
Services	30,003	30,003
Other Operating		
Expense	69,871	69,871

With the approval of the governor and the budget agency, part of the foregoing appropriations for adult guardianship services may be transferred to offset shortfalls in the appropriations for the older hoosiers act or for adult protection services.

**OFFICE OF DEAF**

**AND HEARING**

**IMPAIRED**

Personal		
Services	217,067	217,067
Other Operating		
Expense	193,368	193,368

**COMMUNITY**

**RESIDENTIAL**

**FACILITIES**

**COUNCIL**

Personal		
Services	7,800	7,800
Other Operating		
Expense	16,982	16,982

**RESIDENTIAL**

**SERVICES ) CASE**

**MANAGEMENT**

Personal		
Services	2,143,194	2,143,194
Other Operating		
Expense	721,661	721,661

**VOCATIONAL**

**REHABILITATION**

**SERVICES**

Personal		
Services	2,392,453	2,392,453
Other Operating		
Expense	8,322,793	8,322,793

**EMPLOYEE TRAINING**

Total Operating		
Expense	3,780	3,780

**AID TO INDEPENDENT**

**LIVING**

Total Operating		
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Expense	22,222	22,222
OFFICE OF SERVICES FOR THE BLIND AND VISUALLY IMPAIRED		
Personal		
Services	185,713	185,713
Other Operating		
Expense	87,074	87,074
BLIND VENDING OPERATIONS		
Total Operating		
Expense	118,372	118,372
EPILEPSY SERVICES		
Other Operating		
Expense	492,190	492,190
COMMUNITY MENTAL RETARDATION AND DEVELOPMENTAL CENTERS DAY PROGRAMS		
Other Operating		
Expense	27,139,140	27,953,314

With the approval of the governor and the budget agency, the following amounts may be transferred from the foregoing appropriations for day programs: one million two hundred fifty thousand dollars (\$1,250,000) for each year of the biennium to early childhood intervention services; four hundred thousand dollars (\$400,000) for each year of the biennium to residential services-case management; and two hundred ninety-two thousand dollars (\$292,000) in each year of the biennium to adult guardianship services. All of the above appropriations to the division of disability, aging, and rehabilitative services community mental retardation and developmental centers for day programs, less the detailed transfers described in this paragraph, shall be authorized and made available for agencies for disbursement only on a units purchase of services basis. Rates for such services shall be determined in accordance with adopted rules based on wage and expense information from agencies providing these services. Agencies shall be paid for actual units provided to eligible recipients up to the limit of the above appropriations and inclusive of Social Services Block Grant Appropriations. Before any contract is prepared obligating fiscal year 1995-96 appropriations, the division of disability, aging, and rehabilitative services must submit a listing of services to be purchased and the rates for such services for review and approval by the budget agency. After budget agency review and approval, the division shall notify each local agency of the services that have been authorized for purchase and shall limit all subsequent contracts to the services as authorized.

The above appropriation for community mental retardation and developmental centers day programs include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid program for day services provided to residents of

group homes and nursing facilities.

DIAGNOSIS AND  
EVALUATION

Other Operating

Expense	465,394	465,394
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The above appropriations to the division of disability, aging, and rehabilitative services community mental retardation and developmental centers for diagnosis and evaluation shall be used primarily for individuals receiving residential services and applicants for residential services who are in need of these services.

SUPPORTED

EMPLOYMENT

Other Operating

Expense	3,117,498	3,117,498
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FAMILY SUBSIDY  
PROGRAM

Other Operating

Expense	502,350	502,350
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RESIDENTIAL  
SERVICES FOR  
DEVELOPMENTALLY  
DISABLED PERSONS

Total Operating

Expense for  
the

Biennium	26,855,639	
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In the development of new community residential settings for developmentally disabled persons, the division of disability, aging, and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis. These appropriations to the division of disability, aging, and rehabilitative services mental retardation and developmental disability centers may be augmented, with the approval of the governor and the budget agency, from funds accruing to the social services block grant-purchase of social services contingency fund pursuant to IC 12-13-10 for the purpose of reimbursing the appropriations for expenditures made from it which qualify for participation in the social services block grant-purchase of social services program.

BUREAU OF  
DEVELOPMENTAL  
DISABILITIES  
SERVICES  
TRANSITION FUND

Total Operating

Expense	4,100,000	4,100,000
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ASSISTANCE TO  
PERSONS IN  
COUNTY HOMES

Total Operating		
Expense	5,482,393	5,482,393

The foregoing appropriations for assistance to persons in county homes are made pursuant to IC 12-10-6. With the approval of the governor and the budget agency, part of the foregoing appropriations may be transferred to offset shortfalls in the appropriations for room and board assistance.

ROOM AND BOARD  
ASSISTANCE

Total Operating		
Expense	4,840,004	4,840,004

The foregoing appropriations for room and board assistance are made pursuant to IC 12-10-6. With the approval of the governor and the budget agency, part of the foregoing appropriations may be transferred to offset shortfalls in the appropriations for assistance to persons in county homes.

FORT WAYNE  
STATE  
DEVELOPMENTAL  
CENTER

Personal		
Services	34,595,437	34,595,437
Other Operating		
Expense	3,936,223	3,936,223

MUSCATATUCK  
STATE  
DEVELOPMENTAL  
CENTER

Personal		
Services	37,920,502	37,920,502
Other Operating		
Expense	3,549,857	3,549,857

NEW CASTLE  
STATE  
DEVELOPMENTAL  
CENTER

Personal		
Services	14,447,518	14,447,518
Other Operating		
Expense	2,049,375	2,049,375

NORTHERN  
INDIANA STATE  
DEVELOPMENTAL  
CENTER

Personal		
Services	5,734,511	5,734,511
Other Operating		
Expense	913,916	913,916

The foregoing appropriations for the division of disability, aging, and rehabilitative services institutions are from revenues accruing to the state general fund in the following amounts: for fiscal year 1995-96, up

to thirty-nine million, five hundred thirty-four thousand, one hundred thirty-nine dollars (\$39,534,139); for fiscal year 1996-97, up to thirty-nine million, one hundred eight thousand, three hundred thirty-nine dollars (\$39,108,339); and the balance from revenues accruing to the mental health fund established by IC 12-24-14.

Sixty-six percent (66%) of the revenues accruing to the above named state developmental centers pursuant to IC 12-15 shall be deposited in the mental health fund established pursuant to IC 12-24-14, and thirty-four percent (34%) of the revenues accruing to the above named institutions pursuant to IC 12-15 shall be deposited in the state general fund.

In addition to the above appropriations each institution may qualify for an additional appropriation, or allotment, subject to approval of the governor and the budget agency, from the mental health fund of up to twenty percent (20%) but not to exceed fifty thousand dollars (\$50,000), of the amount in which actual net collections exceed an amount specified in writing by the division of disability, aging, and rehabilitative services prior to July 1 of each year beginning July 1, 1995.

B. PUBLIC HEALTH  
FOR THE AUDITOR  
OF STATE

AID TO COUNTY  
TUBERCULOSIS  
HOSPITALS

Other Operating		
Expense	104,000	104,000

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

FOR THE STATE  
DEPARTMENT OF  
HEALTH

Personal		
Services	19,013,888	18,713,888
Other Operating		
Expense	6,445,650	6,727,950

All receipts to the state department of health from licenses or permit fees shall be deposited into the state general fund.

HOOSIER STATE GAMES

Total Operating		
Expense	225,000	225,000

CANCER REGISTRY

Personal		
Services	306,312	306,312
Other Operating		
Expense	9,749	9,749

MEDICARE-MEDICAID  
CERTIFICATION



Total Operating Expense	2,967,170	2,967,170
AIDS EDUCATION		
Personal Services	522,230	522,230
Other Operating Expense	345,417	345,417
STATE CHRONIC DISEASES		
Personal Services	86,845	86,845
Other Operating Expense	595,735	595,735

At least eighty-two thousand, five hundred sixty dollars (\$82,560) of the above appropriations shall be for grants to community groups and organizations as provided in IC 16-46-7-8.

#### CANCER

##### EDUCATION

##### AND DIAGNOSIS

##### BREAST CANCER

##### Total Operating

Expense	100,000	100,000
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##### PROSTATE CANCER

##### Total Operating

Expense	100,000	100,000
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#### WOMEN, INFANTS, AND CHILDREN SUPPLEMENT

##### Total Operating

Expense	190,000	190,000
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#### MATERNAL AND CHILD HEALTH (MCH) SERVICES SUPPLEMENT

##### Total Operating

Expense	190,000	190,000
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The above appropriations for women, infants, and children and for maternal and child health services are made in lieu of the appropriation provided for this purpose in IC 6-7-1-30.2.

#### NURSING REGISTRY

##### PROGRAM

##### Total Operating

Expense	36,000	36,000
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The above appropriations for the nursing registry program shall be paid from receipts to the nursing registry fund created by IC 25-23.1-2-5. With the approval of the governor and the budget agency, said sums may be augmented from receipts accruing to said fund.

#### ADOPTION HISTORY

##### Total Operating

Expense	189,118	189,118
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The above appropriations for adoption history shall be paid from receipts to the adoption history fund created by IC 31-3-4. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

RADON GAS

TRUST FUND

Total Operating

Expense	15,000	15,000
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The above appropriations for the radon gas trust fund shall be paid from receipts to the radon gas trust fund created by IC 13-1-14-9. With the approval of the governor and the budget agency, said sums may be augmented from receipts accruing to said fund.

FOR THE STATE BUDGET

AGENCY

COMMUNITY HEALTH

CENTER START-UP

ACCOUNT

Total Operating

Expense for the Biennium	2,000,000	
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After review by the state budget committee of an expenditure plan developed by the state department of health, the foregoing appropriation shall be used to provide planning and start-up funding grants for the development of nonprofit community-based primary health care centers in medically underserved areas of the state. The total amount of planning and start-up funding grants shall not exceed one hundred fifty thousand dollars (\$150,000) per recipient during the biennium.

LOCAL HEALTH

MAINTENANCE

FUND

Total Operating

Expense	2,370,000	2,370,000
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The above appropriations for the local health maintenance fund are made in lieu of the appropriation provided for this purpose in IC 6-7-1-30.2.

CHILDREN WITH

SPECIAL HEALTH

CARE NEEDS

Total Operating

Expense	7,469,665	7,469,665
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INDIANA MEDICAL

AND NURSING

GRANT FUND

Total Operating

Expense	250,000	250,000
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The above appropriations from the Indiana medical and nursing grant fund are hereby appropriated from revenue accruing to the Indiana medical and nursing grant fund as created by IC 16-46-5. With the approval of the governor and the budget agency, said funds may be augmented from revenue accruing to said fund.

NEWBORN SCREENING  
PROGRAM

Personal		
Services	262,831	262,831
Other Operating		
Expense	485,311	485,311

The above appropriations for the newborn screening program of the state department of health are hereby appropriated from revenues accruing to the newborn screening fund as created by IC 16-41-17. With the approval of the governor and the budget agency, said sums may be augmented from revenue accruing to said fund.

BIRTH PROBLEMS  
REGISTRY

Personal		
Services	55,169	55,169
Other Operating		
Expense	1,750	1,750

The above appropriations for the birth problems registry shall be paid from receipts to the birth problems registry fund created by IC 16-38-4. With the approval of the governor and the budget agency, said sums may be augmented from revenue accruing to said fund.

MOTOR FUEL  
INSPECTION  
PROGRAM

Total Operating		
Expense	82,000	82,000

The above appropriations for the motor fuel inspection program shall be paid from receipts accruing to the motor fuel inspection fund created by IC 16-44-3-10. With the approval of the governor and the budget agency, said sums may be augmented from receipts accruing to said fund.

MEAT AND POULTRY  
INSPECTION

Total Operating		
Expense	1,771,754	1,771,754

MINORITY HEALTH  
INITIATIVE

Total Operating		
Expense	650,000	650,000

FOR THE  
SILVERCREST  
CHILDREN'S  
DEVELOPMENT  
CENTER

Personal		
Services	5,261,157	5,302,503
Other Operating		
Expense	570,259	592,287

FOR THE INDIANA  
SCHOOL FOR THE  
BLIND

Personal		
Services	8,876,310	9,042,612
Other Operating		
Expense	882,182	772,182
FOR THE INDIANA		
SCHOOL FOR THE		
DEAF		
Personal		
Services	12,460,681	12,713,550
Other Operating		
Expense	1,416,866	1,266,866
FOR THE INDIANA		
VETERANS' HOME		
Personal		
Services	14,955,479	14,955,479
Other Operating		
Expense	3,150,450	3,150,450
The state department of health shall reimburse the general fund at		
least four million, nine hundred fifty thousand dollars (\$4,950,000) for		
fiscal year 1995-96; and four million, nine hundred fifty thousand		
dollars (\$4,950,000) for fiscal year 1996-97 from the veterans' home		
comfort and welfare fund established by IC 10-6-1-9.		
FOR THE SOLDIERS'		
AND SAILORS'		
CHILDREN'S HOME		
Personal		
Services	6,925,639	7,026,212
Other Operating		
Expense	1,139,634	1,139,634
C. VETERANS' AFFAIRS		
FOR THE DISABLED		
AMERICAN		
VETERANS OF		
WORLD WARS		
Total Operating		
Expense	40,000	40,000
FOR THE AMERICAN		
VETERANS OF		
WORLD WAR II,		
KOREA, AND		
VIETNAM		
Total Operating		
Expense	30,000	30,000
FOR THE VETERANS		
OF FOREIGN WARS		
Total Operating		
Expense	30,000	30,000
FOR THE		
DEPARTMENT OF		
VETERANS'		
AFFAIRS		

Personal Services	322,757	428,782
Other Operating Expense	54,218	54,218
COMBAT VETERANS CONSORTIUM		
Total Operating Expense for the Biennium	20,000	

**1995-340-9**

SECTION 9. EDUCATION

	Year 1995-96	Year 1996-97
EDUCATION		
A. HIGHER EDUCATION FOR INDIANA UNIVERSITY ) UNIVERSITY WIDE INITIATIVES		
Total Operating Expense		2,770,000
BLOOMINGTON CAMPUS		
Total Operating Expense	152,016,003	159,005,903
Fee Replacement	12,358,772	14,122,735
FOR INDIANA UNIVERSITY ) REGIONAL CAMPUSES EAST		
Total Operating Expense		
Allocation	5,601,340	6,036,579
Fee Replacement Allocation	966,690	955,087
KOKOMO		
Total Operating Expense		
Allocation	8,326,639	8,917,933
Fee Replacement Allocation	1,253,302	1,238,258
NORTHWEST		
Total Operating Expense		
Allocation	14,914,082	15,613,211
Fee Replacement Allocation	2,488,950	2,459,075
SOUTH BEND		

Total Operating Expense		
Allocation	15,973,357	16,978,704
Fee Replacement		
Allocation	2,971,913	2,936,242
SOUTHEAST		
Total Operating Expense		
Allocation	11,985,729	12,682,910
Fee Replacement		
Allocation	2,312,624	2,284,867
TOTAL		
APPROPRIATION )		
Regional		
Campuses	66,794,626	70,102,866
FOR INDIANA		
UNIVERSITY) PURDUE		
UNIVERSITY AT		
INDIANAPOLIS		
(IUPUI)		
HEALTH DIVISIONS		
Total Operating Expense		
Allocation	71,401,869	75,052,311
Fee Replacement		
Allocation	2,286,169	2,296,809
FOR INDIANA		
UNIVERSITY ) REGIONAL		
MEDICAL CENTERS		
EVANSVILLE		
Total Operating Expense		
Allocation	1,206,978	1,267,327
FORT WAYNE		
Total Operating Expense		
Allocation	1,110,342	1,165,860
NORTHWEST		
Total Operating Expense		
Allocation	1,577,394	1,656,264
LAFAYETTE		
Total Operating Expense		
Allocation	1,408,047	1,478,449
MUNCIE		
Total Operating Expense		
Allocation	1,266,062	1,329,365
SOUTH BEND		
Total Operating		

Expense		
Allocation	1,174,122	1,232,828
TERRE HAUTE		
Total Operating		
Expense		
Allocation	1,399,808	1,469,798
The Indiana University school of medicine shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.		
GENERAL ACADEMIC		
DIVISIONS		
Total Operating		
Expense		
Allocation	60,436,703	63,088,125
Fee Replacement		
Allocation	9,031,568	9,073,598
TOTAL		
APPROPRIATION )		
IUPUI	152,299,062	156,813,925
Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.		
FOR INDIANA		
UNIVERSITY )		
CHEMICAL TEST		
TRAINING		
Total Operating		
Expense	557,693	585,578
INSTITUTE FOR THE		
STUDY OF		
DEVELOPMENTAL		
DISABILITIES		
Total Operating		
Expense	2,155,508	2,263,283
GEOLOGICAL SURVEY		
Total Operating		
Expense	2,631,191	2,762,750
FOR PURDUE		
UNIVERSITY ) WEST		
LAFAYETTE CAMPUS		
Total Operating		
Expense	182,555,002	191,942,058
Fee Replacement	19,959,597	21,112,929
FOR PURDUE		
UNIVERSITY )		
REGIONAL		
CAMPUSES		

CALUMET		
Total Operating		
Expense		
Allocation	20,193,472	21,252,146
Fee Replacement		
Allocation	1,062,146	439,967
NORTH CENTRAL		
Total Operating		
Expense		
Allocation	6,764,807	7,437,448
Fee Replacement		
Allocation	1,578,671	1,455,798
TOTAL		
APPROPRIATION )		
Regional		
Campuses	29,599,096	30,585,359
FOR INDIANA		
UNIVERSITY )		
PURDUE		
UNIVERSITY AT		
FORT WAYNE		
(IUPUFW)		
Total Operating		
Expense	23,874,422	25,051,217
Fee Replacement	3,677,362	3,327,479
Transfers of allocations between campuses to correct for errors in		
allocation among the campuses of Purdue University can be made by		
the institution with the approval of the commission for higher		
education and the budget agency.		
FOR PURDUE		
UNIVERSITY )		
COUNTY		
AGRICULTURAL		
EXTENSION		
EDUCATORS		
Total Operating		
Expense	3,816,183	4,006,992
ANIMAL DISEASE		
DIAGNOSTIC		
LABORATORY		
SYSTEM		
Total Operating		
Expense	2,585,604	2,740,026

The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected pursuant to IC 15-2.1-5-6. Notwithstanding IC 15-2.1-5-5, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.



OFFICE OF AGRICULTURAL RESEARCH PROGRAMS		
Total Operating		
Expense	2,855,651	2,998,433
AGRICULTURAL RESEARCH AND EXTENSION ) CROSSROADS		
Total Operating		
Expense	3,300,933	3,462,480
STATEWIDE TECHNOLOGY		
Total Operating		
Expense	4,529,030	4,604,162
NORTH CENTRAL ) VALPO NURSING PARTNERSHIP		
Total Operating		
Expense	88,636	93,068
CROP PRODUCTION DIAGNOSTIC RESEARCH CENTER		
Total Operating		
Expense	57,263	60,126
FOR INDIANA STATE UNIVERSITY		
Total Operating		
Expense	65,013,110	68,024,148
Fee Replacement	5,322,178	4,165,222
INSTITUTE ON RECYCLING		
Total Operating		
Expense	66,582	72,278
FOR UNIVERSITY OF SOUTHERN INDIANA		
Total Operating		
Expense	18,982,887	19,924,478
Fee Replacement	1,758,154	2,314,816
FOR BALL STATE UNIVERSITY		
Total Operating		
Expense	100,257,862	105,084,291
Fee Replacement	8,649,752	8,657,452
ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
Total Operating		

Expense	3,551,224	3,728,785
FOR VINCENNES UNIVERSITY		
Total Operating		
Expense	25,741,273	26,962,504
Fee Replacement	2,979,293	2,984,981
FOR INDIANA VOCATIONAL TECHNICAL COLLEGE		
Total Operating		
Expense	66,009,686	69,396,758
Fee Replacement	6,727,614	6,537,363
FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATION SYSTEM (IHETS)		
Total Operating		
Expense	5,445,533	5,739,393

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Indiana Vocational Technical College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS respectively from all permanent fees and endowments, and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 1995, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training school, school of dentistry, agricultural extension and experimental station. Provided, however, that such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations and allocations for fee replacement are for replacement of student fees deducted during the 1995-97 biennium to cover bond or lease-purchase principal, interest, and other obligations of debt costs of facility construction and acquisition for those projects authorized by the general assembly. These fee replacement appropriations and allocations shall be allotted by the budget agency after receipt of verification of payment of such debt cost expense.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Indiana Vocational Technical College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the

public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund, and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years, for each institution and IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Indiana Vocational Technical College shall, at the end of each three (3) month period, prepare and file with the auditor of state, a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period, said statement to be in such form and such detail as directed by the budget director.

Said reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports shall be matters of public record, and shall include without limitation, a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding the provisions of IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, and Indiana Vocational Technical College on the basis of vouchers stating the total amount claimed against each fund and/or account, but not to exceed the legally made appropriations. The operating money may be claimed on the basis of twelve (12) equal installments to be claimed monthly starting in July and ending in June of each fiscal year after allotment by the budget agency.

Notwithstanding the provisions of IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, a detailed itemization of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of

Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Indiana Vocational Technical College, and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

FOR THE MEDICAL  
EDUCATION BOARD )  
FAMILY PRACTICE  
RESIDENCY FUND

Total Operating		
Expense	2,412,191	2,412,191

Of the foregoing appropriations for the medical education board-family practice residency fund, one million dollars (\$1,000,000) each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

MEDICAL  
EDUCATION )  
INTERN  
RESIDENCY  
PROGRAM

Total Operating		
Expense	1	1

FOR THE COMMISSION  
FOR HIGHER  
EDUCATION

Total Operating		
Expense	1,284,895	1,351,430

MIDWEST HIGHER  
EDUCATION  
COMMISSION  
(MHEC)

Total Operating Expense	
For the Biennium	116,000

INDIANA COLLEGE  
PLACEMENT  
ASSESSMENT  
CENTER

Total Operating		
Expense	820,023	861,024

FOR THE DEPARTMENT  
OF ADMINISTRATION

ANIMAL DISEASE  
AND DIAGNOSTIC  
LABORATORY  
LEASE RENTAL

Total Operating		
Expense	1,075,295	1,078,770

FOR THE DEPARTMENT  
OF COMMERCE  
AVIATION

TECHNOLOGY

Total Operating

Expense	1,018,835	1,018,130
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FOR THE BUDGET AGENCY

CORE 40 PROGRAM

Total Operating

Expense	785,000	824,250
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All or part of this appropriation shall be allocated or transferred for core 40 initiatives to the department of education and the commission for higher education by the auditor of state, with the approval of the budget agency, after review by the state budget committee of program recommendations made by the commission for higher education.

NEW PROGRAM START UP

FUND

Total Operating

Expense for the Biennium	3,103,000	
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The above appropriation shall be used for the establishment of higher education programs serving Elkhart County. Distributions shall be made upon the recommendation of the Indiana commission for higher education and the approval by the budget agency after review of the state budget committee.

UNIVERSITY

LIBRARY

AUTOMATION

PROJECT

Total Operating

Expense	150,000	150,000
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Allocations and transfers of the preceding appropriations for the library automation project shall be made to the respective institutions' operation accounts by the auditor of state, with the approval of the budget agency, after review by the state budget committee based on program recommendations made by the commission for higher education.

SOUTHEASTERN

INDIANA

DISTANCE

EDUCATION

Total Operating

Expense	589,000	603,560
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The above appropriation for southeastern Indiana distance education may be expended with the approval of the budget agency after review by the commission for higher education and the state budget committee.

SOUTH CENTRAL EDUCATIONAL

ALLIANCE BEDFORD

SERVICE AREA

EXPANSION PROJECT

Total Operating

Expense for the Biennium	250,000	
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FOR THE STATE  
STUDENT  
ASSISTANCE  
COMMISSION

Total Operating Expense	1,168,554	1,172,714
DISTRIBUTION ) Freedom of Choice Grants	17,564,204	18,127,867
Higher Education Award Program	50,995,436	56,342,838
21ST CENTURY AWARDS	1,903,698	3,489,656

The above appropriation for 21st century awards may be augmented from the general fund by the budget director with the approval of the governor, after review by the budget committee.

Hoosier Scholar

Program	420,000	420,000
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For the higher education awards and freedom of choice grants made for the 1995-97 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.
- (2) Maximum Award: The maximum award shall not exceed the lesser of:
  - (A) actual prior academic year undergraduate tuition and fees; or
  - (B) the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any public institution of higher education.
- (3) Minimum Award: No actual award shall be less than two hundred dollars (\$200).
- (4) Award Size: A student's maximum award shall be reduced one (1) time:
  - (A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid form (FAF); and
  - (B) for independent students, by the expected contribution derived from the projected student aid index from information submitted on the financial aid form (FAF).
- (5) Pro Rata Adjustment: If the dollar amounts of eligible awards exceed appropriations, all awards will be adjusted on a pro rata basis.

For the Hoosier scholar program for the 1995-97 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

NURSING		
SCHOLARSHIP		
PROGRAM	401,773	401,773
MINORITY TEACHER		
SCHOLARSHIP		
FUND		
Total Operating		
Expense	2,500	2,500
Distribution	379,473	379,473
COLLEGE WORK		
STUDY PROGRAM		
Total Operating		
Expense	91,294	91,294
Distribution	667,099	667,099
21ST CENTURY		
ADMINISTRATION		
Total Operating		
Expense	889,233	1,069,246
CONTRACT FOR		
INSTRUCTIONAL		
OPPORTUNITIES		
IN SOUTHEASTERN		
INDIANA		
Total Operating		
Expense	511,600	511,600
Working in consultation with the commission for higher education, the commission shall develop and execute contracts with selected Ohio and Kentucky postsecondary educational institutions to provide discounted tuition for students from the following southeastern Indiana counties: Dearborn, Switzerland, Ohio, Ripley, Franklin, and Jefferson. The commission shall enter into contracts which offset out-of-state fees paid by Indiana residents up to a maximum benefit of one thousand nine hundred dollars (\$1,900) per full-time equivalent student. The commission shall further revise its rules to ensure that Indiana students attending the selected institutions are treated as in-state students for purposes of the higher education award program.		
B. ELEMENTARY AND		
SECONDARY		
EDUCATION		
FOR THE DEPARTMENT		
OF EDUCATION )		
ADMINISTRATION/		
SERVICES		
SUPERINTENDENT'S		
OFFICE		
Personal		
Services	481,122	481,122
Other Operating		
Expense	1,077,925	1,101,419
RESEARCH AND		
DEVELOPMENT		

PROGRAMS		
Personal		
Services	86,476	86,476
Other Operating		
Expense	294,036	294,036
PUBLIC TELEVISION		
DISTRIBUTION		
Total Operating		
Expense	715,000	1,215,000
These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the eight (8) Indiana public education television stations that shall be approved by the budget agency and reviewed by the state budget committee.		
DEPUTY		
SUPERINTENDENT'S		
OFFICE		
Personal		
Services	363,461	363,461
Other Operating		
Expense	272,060	272,060
RILEY HOSPITAL		
Total Operating		
Expense	30,000	30,000
ADMINISTRATION/		
FINANCIAL		
MANAGEMENT		
CENTER FOR		
ADMINISTRATION		
AND FINANCIAL		
MANAGEMENT		
Personal		
Services	1,609,628	1,609,628
Other Operating		
Expense	602,919	602,919
SCHOOL TRAFFIC		
SAFETY		
Personal		
Services	180,030	180,030
Other Operating		
Expense	40,742	40,742
The foregoing appropriations for school traffic safety are from the motor vehicle highway fund. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.		
MOTORCYCLE		
OPERATOR SAFETY		
EDUCATION FUND		
Personal		
Services	43,838	43,848
Other Operating		



Expense	588,000	488,000
Of the above appropriations from the motorcycle operator safety education fund created by IC 20-10.1-7-14, one hundred fifty thousand dollars (\$150,000) shall be used for the purchase of motorcycles for state fiscal year 1995-96. The motorcycles may only be purchased after the budget agency has approved the department of education's plan for liability and insurance coverage of the motorcycles.		
SCHOOL		
ASSESSMENT		
CENTER FOR		
SCHOOL		
ASSESSMENT		
Personal		
Services	236,513	236,513
Other Operating		
Expense	73,611	73,611
ACCREDITATION		
SYSTEM		
Personal		
Services	358,913	358,913
Other Operating		
Expense	588,433	588,433
COMMUNITY		
RELATIONS AND		
SPECIAL		
POPULATIONS		
CENTER FOR		
COMMUNITY		
RELATIONS		
AND SPECIAL		
POPULATIONS		
Personal		
Services	206,343	206,343
Other Operating		
Expense	66,863	66,863
SPECIAL		
EDUCATION (S-5)		
Other Operating		
Expense	13,800,000	14,500,000
The foregoing appropriations for special education are made pursuant to IC 20-1-6-19.		
PROJECT SET		
Other Operating		
Expense	91,065	91,065
GED-ON-TV PROGRAM		
Other Operating		
Expense	270,000	270,000

This appropriation is for grants to provide GED-ON-TV programming. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for this appropriation that shall be approved by the state budget agency and reviewed by the state budget committee.

SPECIAL EDUCATION

EXCISE

Personal

Services	339,885	339,885
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The foregoing appropriations for special education are from alcoholic beverage excise tax funds, and include the appropriation provided in IC 20-1-6-10. With the approval of the governor and the budget agency, said sums may be augmented from revenues accruing to said fund.

SCHOOL

IMPROVEMENT AND

PERFORMANCE

CENTER FOR

SCHOOL

IMPROVEMENT AND

PERFORMANCE

Personal

Services	1,268,970	1,268,970
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Other Operating

Expense	1,386,820	1,386,820
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VOCATIONAL

EDUCATION

Personal

Services	1,041,172	1,041,172
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Other Operating

Expense	230,630	230,630
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ADVANCED

PLACEMENT

PROGRAM

Other Operating

Expense	548,050	548,050
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GEOGRAPHY

EDUCATION

TRAINING

Total Operating

Expense	49,990	49,990
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STUDENT SERVICES

SUMMER INSTITUTE

Total Operating

Expense	36,618	36,618
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ACADEMIC

COMPETITION

Total Operating

Expense	56,090	56,090
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PROFESSIONAL

DEVELOPMENT

PRINCIPAL

LEADERSHIP

ACADEMY

Personal

Services	226,623	226,623
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Other Operating Expense	262,157	262,157
JAPANESE/ CHINESE INITIATIVES		
Total Operating Expense	236,500	236,500
FOR THE DEPARTMENT OF EDUCATION ) LOCAL SCHOOL FUNDING SUPERINTENDENT'S OFFICE EDUCATIONAL SERVICE CENTERS		
Total Operating Expense	2,025,664	2,025,664

No appropriation made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least two dollars and fifty cents (\$2.50) per student for fiscal year 1995-96 based on the school corporation's ADM count as reported for school aid distribution in the fall of 1994, and at least two dollars and fifty cents (\$2.50) per student for fiscal year 1996-97, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 1995. Prior to notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

ADMINISTRATION/  
FINANCIAL  
/MANAGEMENT  
TRANSFER  
TUITION I  
(STATE  
EMPLOYEES'  
CHILDREN)

Total Operating Expense	250,000	250,000
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The foregoing appropriations for transfer tuition (state employees' children) are made pursuant to IC 20-8.1-6.1-6.

TRANSFER  
TUITION II  
(MENTAL HEALTH)

Total Operating Expense	1,200,000	1,200,000
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The foregoing appropriations for transfer tuition II (mental health) are made pursuant to IC 20-8.1-6.1-5.

DISTRESSED

SCHOOLS  
DISTRIBUTION

Total Operating		
Expense	50,000	50,000

TEACHERS'

SOCIAL  
SECURITY  
DISTRIBUTION

Total Operating		
Expense	2,102,231	2,102,231

The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area vocational schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION  
FOR TUITION  
SUPPORT

Other Operating		
Expense	2,392,900,000	2,513,600,000

The foregoing appropriations for distribution for tuition support are to be distributed for tuition support, special education programs, vocational education programs, and at-risk programs in accordance with a statute enacted for this purpose during the 1995 session of the general assembly.

The appropriation for each state fiscal year includes the appropriation of ten million dollars (\$10,000,000) provided by IC 6-3-7-3. Of the appropriation, the following amounts are appropriated from the state general fund: one billion, three hundred seventy-six million, sixty-two thousand, eight hundred fifty dollars (\$1,376,062,850) for fiscal year 1995-96 and one billion, four hundred thirty-six million, four hundred twelve thousand, eight hundred fifty dollars (\$1,436,412,850) for fiscal year 1996-97. The following amounts are appropriated from the property tax replacement fund created by IC 6-1.1-21: one billion, sixteen million, eight hundred thirty-seven thousand, one hundred fifty dollars (\$1,016,837,150) for fiscal year 1995-96 and one billion, seventy-seven million, one hundred eighty-seven thousand, one hundred fifty dollars (\$1,077,187,150) for fiscal year 1996-97. If the above appropriations for distribution for tuition support are more than are required under this SECTION, one-half (1/2) of any excess shall revert to the state general fund, and one-half (1/2) of any excess shall revert to the property tax replacement fund.

The above appropriations for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor, provided that the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every

forty (40) days, and that the aggregate of such payments in each calendar year shall equal the amount required under the statute enacted for this purpose referred to above.

DISTRIBUTION  
FOR  
TRANSPORTATION

Total Operating		
Expense	30,525,000	30,525,000

The distributions for transportation shall be made to each local school corporation in accordance with IC 21-3-3.1 and any pertinent rules.

ADA FLAT GRANT  
DISTRIBUTION

Total Operating		
Expense	34,396,480	34,430,880

Distribution to local school corporations shall be based on average daily attendance. The foregoing appropriations for the ADA flat grant distribution account include for each fiscal year the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

DISTRIBUTION  
FOR SUMMER  
SCHOOL

Other Operating		
Expense	14,860,000	14,860,000

It is the intent of the 1995 general assembly that the above appropriations for summer school shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

ADULT EDUCATION  
DISTRIBUTION

Total Operating		
Expense	12,000,000	12,500,000

It is the intent of the 1995 general assembly that the above appropriations for adult education shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL  
LUNCH PROGRAM

Total Operating		
Expense	5,133,194	5,133,194

MARION COUNTY  
DESEGREGATION  
COURT ORDER

Total Operating		
Expense	15,100,000	15,100,000

The foregoing appropriations for court ordered desegregation costs are made pursuant to the United States District Court for the Southern

District of Indiana, No. IP 68-C-225-S. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

FORT WAYNE  
DESEGREGATION  
COURT ORDER

Total Operating		
Expense	2,025,000	2,400,000

The foregoing appropriations for court ordered desegregation costs are made pursuant to the United States District Court for the Northern District of Indiana, Civil No. 86CVO325AS.

TEXTBOOK  
REIMBURSEMENT

Personal		
Services	47,258	47,258
Other Operating		
Expense	8,038,142	8,538,142

TRANSPORTATION  
FOR SPECIAL AND  
VOCATIONAL  
EDUCATION

Total Operating		
Expense	8,070,000	8,570,000

The distribution of these appropriations shall be made in accordance with IC 21-3-3.1.

SCHOOL ASSESSMENT

TESTING/  
REMEDICATION

Other Operating		
Expense	24,842,992	24,842,992

Prior to notification of local school corporations of the formula and components of the formula for distributing fund for remediation, review and approval of the formula and components shall be made by the budget agency. With the approval of the governor and the budget agency, the above appropriation for school assessment testing/remediation may be augmented from revenues accruing to the secondary market sale fund established by IC 20-12-21.2-10, as added by this act.

PERFORMANCE  
BASED AWARDS

Personal		
Services	42,636	42,636
Other Operating		
Expense	3,164,959	3,164,959

The foregoing appropriations shall be distributed after review by the state budget committee and approval of the budget agency.

COMMUNITY  
RELATIONS AND  
SPECIAL  
POPULATIONS

EDUCATIONAL  
OPPORTUNITY  
AT RISK

Total Operating		
Expense	84,845	84,845

SPECIAL EDUCATION  
PRESCHOOL

Total Operating		
Expense	15,210,000	16,210,000

The above appropriation shall be distributed to guarantee a minimum of two thousand, seven hundred fifty dollars (\$2,750) per child enrolled in special education preschool programs from state and local sources in school corporations that levy a one cent (\$0.01) per one hundred dollars (\$100) assessed valuation tax rate for this purpose. It is the intent of the 1995 general assembly that the above appropriations for special education preschool shall be the total allowable expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

SCHOOL IMPROVEMENT  
AND PERFORMANCE

GIFTED AND  
TALENTED  
EDUCATION  
PROGRAM

Personal		
Services	183,458	183,458
Other Operating		
Expense	5,919,402	6,156,178

DISTRIBUTION  
FOR ADULT  
VOCATIONAL  
EDUCATION

Total Operating		
Expense	250,000	250,000

The distribution for adult vocational education programs shall be made in accordance with the state plan for vocational education.

PRIMETIME

Personal		
Services	166,120	166,120
Other Operating		
Expense	77,267,593	79,584,166

COMPUTER  
LEARNING AND  
TRAINING

Personal		
Services	286,747	286,747
Other Operating		
Expense	1,382,410	1,382,410

INNOVATIVE SCHOOL  
IMPROVEMENTS

Personal		
Services	82,878	82,878
Other Operating		
Expense	754,805	754,805

Expenditures for this program shall be made only with the approval of both the governor and the superintendent of public instruction. Notwithstanding the provisions of IC 20-10.1-22-2 and IC 20-10.1-26-2(b), appropriations for research and development and innovative school improvements do revert at the end of the fiscal year.

DRUG FREE  
SCHOOLS

Personal		
Services	45,178	45,178
Other Operating		
Expense	60,049	60,049

EDUCATIONAL  
TECHNOLOGY  
PROGRAM AND  
FUND (INCLUDING  
4R'S TECHNOLOGY  
GRANT PROGRAM)

Total Operating		
Expense for		
the Biennium	8,000,000	

At least three million dollars (\$3,000,000) of the foregoing appropriation shall be allocated to the buddy system during the biennium. In making grants under this program and from this fund, the department shall give consideration to a variety of educational technologies and to enhancing educational productivity. Expenditures from this fund shall be made only with the approval of the governor and superintendent of public instruction.

C. OTHER LOCAL SCHOOL FUNDING  
FOR THE INDIANA STATE

TEACHERS'

RETIREMENT FUND

PENSION FUND

CONTRIBUTIONS	198,000,000	206,000,000
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POSTRETIREMENT

PENSION

INCREASES	42,600,000	45,900,000
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The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 21-6.1-6. Notwithstanding the provisions of HEA 1569-1995, the increases authorized by IC 5-10.2-5-23 and IC 5-10.2-5-24 shall be funded from the above appropriation.

PENSION

STABILIZATION

FUND

Other Operating		
Expense	25,000,000	25,000,000

D. OTHER EDUCATION



FOR THE  
PROFESSIONAL  
STANDARDS BOARD  
ADMINISTRATION

Personal		
Services	1,097,509	1,111,432
Other Operating		
Expense	1,910,111	1,896,188

Each mentor teacher is entitled to a maximum annual stipend of six hundred dollars (\$600) to be paid from the foregoing appropriations.

FOR THE EDUCATION  
EMPLOYMENT  
RELATIONS  
BOARD

Personal		
Services	644,109	644,109
Other Operating		
Expense	111,712	111,712

PUBLIC EMPLOYEE  
RELATIONS BOARD

Personal		
Services	35,000	35,000

FOR THE INDIANA STATE  
TEACHERS'  
RETIREMENT FUND )

ADMINISTRATION

Personal		
Services	1,206,929	1,206,929
Other Operating		
Expense	1,358,327	1,358,327

The amounts above appropriated are to be paid from the investment earnings of the Indiana state teachers' retirement fund. With the approval of the governor and the budget agency, said sums may be augmented from the investment earnings.

FOR THE AUDITOR  
OF STATE

DISTRIBUTION TO  
PUBLIC LIBRARIES

Other Operating		
Expense	607,936	607,936

The foregoing appropriations for distribution to public libraries shall be distributed among the public libraries of the state of Indiana pursuant to IC 4-23-7.1. However, a public library district that does not provide for the issuance of library cards free of charge or for a fee to all individuals who reside in the county in which that public library district is located shall not be considered an eligible public library district in determining the amounts to be distributed under IC 4-23-7.1 and is not entitled to a distribution under IC 4-23-7.1.

FOR THE STATE  
LIBRARY

Personal

Services	2,048,604	2,048,604
Other Operating		
Expense	755,568	755,568
COOPERATIVE		
LIBRARY SERVICES		
AUTHORITY		
Total Operating		
Expense	2,408,848	2,408,848
ACADEMY OF SCIENCE		
Total Operating		
Expense	8,811	8,811
FOR THE ARTS		
COMMISSION		
Personal		
Services	299,066	299,066
Other Operating		
Expense	2,703,905	2,703,905
FOR THE HISTORICAL		
BUREAU		
Personal		
Services	298,045	298,045
Other Operating		
Expense	71,998	71,998
HISTORICAL MARKER		
PROGRAM		
Total Operating		
Expense for the		
Biennium	25,000	
FOR THE COMMISSION		
ON PROPRIETARY		
EDUCATION		
Personal		
Services	357,847	357,847
Other Operating		
Expense	70,767	70,767

#### **1995-340-10**

SECTION 10. The following allocations of federal funds available for vocational and technical education under the Carl D. Perkins Vocational and Applied Technology Education Act of 1990 (20 U.S.C. 2301, et seq. for the State Vocational and Applied Technology Education Program) (20 U.S.C. 2394(b) for the Technology Preparation Education Program). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consulting with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

Year	Year
1995-96	1996-97

ADMINISTRATION		
Personal		
Services	448,227	448,227
Other Operating		
Expense	128,076	128,076
STATE PROGRAMS		
AND LEADERSHIP		
Total Operating		
Expense		
Allocation	1,986,173	1,986,173
SINGLE PARENT,		
DISPLACED		
HOMEMAKERS,		
AND SINGLE		
PREGNANT WOMEN		
Total Operating		
Expense		
Allocation	1,752,506	1,752,506
SEX EQUITY		
Total Operating		
Expense		
Allocation	707,757	707,757
CRIMINAL		
OFFENDERS		
Total Operating		
Expense		
Allocation	251,202	251,202
SECONDARY		
VOCATIONAL		
PROGRAMS		
Total Operating		
Expense		
Allocation	11,518,850	11,518,850
POSTSECONDARY		
VOCATIONAL		
PROGRAMS		
Total Operating		
Expense		
Allocation	6,598,246	6,598,246
COMMUNITY BASED		
ORGANIZATIONS		
Total Operating		
Expense		
Allocation	228,334	228,334
CONSUMER AND		
HOMEMAKING		
EDUCATION		
Total Operating		
Expense		
Allocation	807,521	807,521
TECHNOLOGY )		

PREPARATION

EDUCATION

Total Operating

Expense

Allocation

2,677,543

2,677,543

The allocation to the department of correction for criminal offenders shall be distributed for program services for criminal offenders.

The following allocations of federal funds available for vocational education under the federal Job Training Partnership Act (29 U.S.C. 1533) are made pursuant to IC 20-1-18.3-15. Notwithstanding IC 20-1-18.3-14, these federal funds shall be received by the department of workforce development, division of employment and training services, and distributed in accordance with the allocation specified below:

FOR THE DEPARTMENT

OF WORKFORCE

DEVELOPMENT,

DIVISION OF

EMPLOYMENT AND

TRAINING SERVICES:

EDUCATION

COORDINATION

Total Operating

Expense

Allocation

284,301

284,301

ADMINISTRATION

Total Operating

Expense

Allocation

180,000

180,000

EDUCATION

SERVICES

Total Operating

Expense

Allocation

1,472,203

1,472,203

**1995-340-11**

SECTION 11. In accordance with IC 20-1-18.3, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 10 of this act.

**1995-340-12**

SECTION 12. Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

**1995-340-13**

SECTION 13. The budget agency, pursuant to IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of the state of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred; a person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or another statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred; a person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of thirty dollars (\$30) during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, China, Taiwan, Great Britain, Germany, and the Netherlands the minimum meal allowance shall not be less than fifty dollars (\$50) for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The state agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

**1995-340-14**

SECTION 14. The salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is fifty dollars (\$50) per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

**1995-340-15**

SECTION 15. No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency.

**1995-340-16**

SECTION 16. No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been quietused into the state treasury for the month. However, if a department or an institution has more than ten thousand dollars (\$10,000) in daily receipts, the receipts shall be deposited into the state treasury daily.

**1995-340-17**

SECTION 17. In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined that the loss shall not be replaced, any funds received from the settlement of a claim shall be quietused into the state general fund.

**1995-340-18**

SECTION 18. If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

**1995-340-19**

SECTION 19. If any state penal or benevolent institution other than the Indiana state prison, Indiana reformatory, and Indiana state farm, shall, in the operation of its farms, produce products or commodities in excess of the needs of the institution, the surplus may be sold through the division of industries and farms, the director of the supply division of the Indiana department of administration, or both. The proceeds of any such sale or sales shall be deposited in the state treasury. The amount deposited is hereby reappropriated to the institution for total operating expenses of the then current year, if approved by the director of the budget agency.

The exchange between state penal and benevolent institutions of livestock for breeding purposes only is hereby authorized at valuations agreed upon between the superintendents or wardens of the institutions.

Capital outlay expenditures may be made from the institutional industries and farms revolving fund if approved by the budget agency and the governor.

#### **1995-340-20**

SECTION 20. This act does not authorize any rehabilitation and repairs to any state buildings, or that any obligations be incurred for lands and structures, without the prior approval of the budget agency. This SECTION does not apply to contracts for the construction or maintenance of roads and bridges, to the acquisition of rights-of-way for roads or bridges, or to the state universities supported in whole or in part by state funds.

#### **1995-340-21**

SECTION 21. Whenever it is provided by statute that any state agency shall receive an annual appropriation for any funds in the state treasury not otherwise appropriated for the operating expenses of that agency, and an amount is appropriated by this act for the operating expenses of that agency, the amount appropriated in this act includes the annual appropriation fixed by law. However, this SECTION does not apply to any act passed by the 109th general assembly that creates a new department, division, board, commission, or office of state government, or adds an appropriation by an amendment for additional duties.

#### **1995-340-22**

SECTION 22. The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

#### **1995-340-23**

SECTION 23. The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the director of the budget agency and the director of the division of procurement of the Indiana department of administration, or any other agency or person authorized to make state purchases:

- (1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.
- (2) In the case of department or commission heads, it shall be

shown that the statutory duties imposed in the discharge of the office require traveling a greater distance than one thousand (1,000) miles each month or that they are subject to official duty call at all times.

(3) In the case of employees, it shall be shown that the major portion of the duties assigned to the employee require travel on state business in excess of one thousand (1,000) miles each month, or the vehicle is identified by the agency as an integral part of the job assignment. In computing the number of miles required to be driven by a department head or an employee, the distance between the individual's home and office or designated official station is not to be considered as a part of the total. Department heads shall annually submit justification for the continued assignment of each vehicle in their department, which shall be reviewed by the director of the budget agency and the commissioner of the Indiana department of administration. There shall be an insignia permanently affixed on each side of all state owned cars, designating the cars as being state owned. However, this request does not apply to state owned cars driven by elected state officials or in cases where the budget agency determines that affixing insignia on state owned cars would hinder or handicap the persons driving the cars in the performance of their official duties.

#### **1995-340-24**

SECTION 24. When budget agency approval or review is required under this act, the budget agency may refer to the state budget committee any budgetary or fiscal matter related to that approval or review, for which it would like an advisory recommendation. If a matter is referred to the state budget committee, it shall hold hearings and take any actions authorized by IC 4-12-1-11, and it shall make an advisory recommendation to the budget agency.

#### **1995-340-25**

SECTION 25. The governor of the state of Indiana is solely authorized to accept on behalf of the state any and all federal funds available to the state of Indiana. Federal funds received under this SECTION are appropriated for their purposes, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

#### **1995-340-26**

SECTION 26. Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency pursuant to IC 4-12-1-12.

#### **1995-340-27**



SECTION 27. A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency. Each demand for payment submitted by the agency or department to the auditor of state by claim voucher under such contracts or agreements shall be accompanied by a copy of the budget agency approval, and no payment shall be made by the auditor of state without such approval. This SECTION does not apply to any contract entered into by an agency or department of state government that is the result of a procurement under IC 4-13.4 (except personal service contracts under IC 4-13.4-5-1) or a public works contract under IC 4-13.6.

**1995-340-28**

SECTION 28. Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

**1995-340-29**

SECTION 29. Subject to SECTION 24 of this act as it relates to the state budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 1995-97 biennium, if it is deemed necessary to do so in order to prevent a deficit financial situation.

**1995-340-30**

SECTION 30. (a) The following appropriations are made in addition to those found in P.L.277-1993(ss) and P.L.278-1993(ss):

Year	
1994-95	
DISTRIBUTION FOR	
TUITION	
SUPPORT	200,100,000
TRANSPORTATION	3,250,856
SPECIAL	
VOCATIONAL	
TRANSPORTATION	677,914

The above appropriations are made to enable the state to undo delays in payments to local schools which delays were included in the 1991 budget and to move the second payment due in December of 1995 to June of 1995.

PRIMETIME	947,565
SPECIAL EDUCATION	
(S-5)	4,755,663
SPECIAL EDUCATION	
PRESCHOOL	6,045,817

(b) In addition to the appropriations found in P.L.277-1993(ss) and P.L.278-1993(ss), four thousand dollars (\$4,000) is appropriated for a

leadership subsistence allowance to the budget subcommittee chairman of the senate for the state fiscal year beginning July 1, 1994, and ending June 30, 1995.

**1995-340-31**

SECTION 31. CONSTRUCTION. For the 1995-97 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, the purchase and sale of land, including equipment for such properties, and state grants to municipalities for various projects.

STATE GENERAL	
FUND	159,876,875
STATE POLICE	
BUILDING	
FUND	2,073,332
(IC 9-29-1-4)	
LAW ENFORCEMENT	
TRAINING	
FUND	394,800
(IC 5-2-1-13)	
CIGARETTE TAX	
FUND (NATURAL	
RESOURCES)	9,791,700
(IC 6-7-1)	
VETERANS' HOME	
BUILDING FUND	4,694,575
(IC 10-6-1-9)	
POSTWAR	
CONSTRUCTION	
FUND	24,006,868
(IC 7.1-4-8-1)	
SOLDIERS' AND	
SAILORS' CHILDREN'S HOME	
MAINTENANCE	
FUND	567,860
(IC 16-33-4-17)	
FISH AND WILDLIFE	
FUND	3,878,300
(IC 14-3-1-16)	
BUILD INDIANA FUND	
(IC 4-30-17)	46,403,551
TOTAL	251,687,861

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

Years  
1995-97

GENERAL GOVERNMENT

DEPARTMENT OF

ADMINISTRATION

Preventive Maintenance	3,092,895
Repair and Rehabilitation	<u>3,571,550</u>
TOTAL	6,664,445

DEPARTMENT OF STATE

REVENUE

Preventive Maintenance	317,000
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STATE BUDGET

AGENCY

HEALTH AND SAFETY

COMPLIANCE

CONTINGENCY

FUND	8,000,000
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DEPARTMENT OF TRANSPORTATION

Airport Development )

Federal Match	3,000,000
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The foregoing allocation for the Indiana department of transportation is for airport development and shall be used for the purpose of assisting local airport authorities and local units of government in matching available federal funds under the airport improvement program and for matching federal grants for airport planning and for the other airport studies. Matching grants of aid shall be made in accordance with the approved annual capital improvements program of the Indiana department of transportation and with the approval of the governor and the budget agency.

PUBLIC SAFETY AND CONSERVATION

A. PUBLIC SAFETY

INDIANA STATE POLICE DEPARTMENT

Preventive Maintenance	284,100
Repair and Rehabilitation	<u>1,789,232</u>
TOTAL	2,073,332

The foregoing allocations for the state police department are hereby appropriated from revenue accruing to the state police building fund pursuant to IC 9-29-1-4.

LAW ENFORCEMENT TRAINING BOARD

Preventive Maintenance	154,700
Repair and Rehabilitation	<u>240,100</u>
TOTAL	394,800

The foregoing allocations for the law enforcement training board are hereby appropriated from the law enforcement training fund pursuant to IC 5-2-1-13.

ADJUTANT GENERAL

Preventive Maintenance	250,000
Repair and Rehabilitation	<u>2,730,950</u>
TOTAL	2,980,950

B. CORRECTION

WORK RELEASE CENTERS

Preventive Maintenance	89,758
Repair and Rehabilitation	<u>112,400</u>

TOTAL	202,158
DEPARTMENT OF CORRECTION	
Additional Juvenile	
Male Facility	3,000,000
A & E Fees	
and Land	
Acquisition for	
Additional	
Male Facility	<u>10,950,000</u>
TOTAL	13,950,000
CORRECTIONAL UNITS	
Preventive Maintenance	310,148
Repair and Rehabilitation	<u>294,180</u>
TOTAL	604,328
INDIANA STATE PRISON	
Preventive Maintenance	1,012,840
Repair and Rehabilitation	<u>2,404,841</u>
TOTAL	3,417,681
INDIANA REFORMATORY	
Preventive Maintenance	869,000
Repair and Rehabilitation	<u>839,000</u>
TOTAL	1,708,000
WOMEN'S PRISON	
Preventive Maintenance	171,346
Repair and Rehabilitation	<u>45,900</u>
TOTAL	217,246
INDIANA STATE FARM	
Preventive Maintenance	735,236
Inmate Dining Facility	660,447
Repair and Rehabilitation	<u>1,160,000</u>
TOTAL	2,555,683
BOYS' SCHOOL	
Preventive Maintenance	474,400
Repair and Rehabilitation	<u>1,521,000</u>
TOTAL	1,995,400
GIRLS' SCHOOL	
Preventive Maintenance	275,696
Repair and Rehabilitation	<u>748,500</u>
TOTAL	1,024,196
BRANCHVILLE TRAINING CENTER	
Preventive Maintenance	300,776
Segregation Unit	2,160,000
Warehouse	<u>2,150,000</u>
TOTAL	4,610,776
WESTVILLE CORRECTION CENTER	
Preventive Maintenance	1,039,500
Perimeter Fence/A & E	150,000
Sky Mast Lighting	570,000
Repair and Rehabilitation	<u>2,105,000</u>
TOTAL	3,864,500
ROCKVILLE TRAINING CENTER	

Preventive Maintenance	<u>232,356</u>
TOTAL	232,356
INDIANA YOUTH CENTER	
Preventive Maintenance	479,314
Repair and Rehabilitation	<u>3,274,900</u>
TOTAL	3,754,214
RECEPTION DIAGNOSTIC CENTER	
Preventive Maintenance	196,346
Repair and Rehabilitation	<u>590,700</u>
TOTAL	787,046
INDUSTRY AND FARM DIVISION	
Preventive Maintenance	101,000
Industry Building ) Branchville	<u>2,346,424</u>
TOTAL	2,447,424
CORRECTIONAL INDUSTRIAL COMPLEX	
Preventive Maintenance )	
Institution	453,534
Industries	280,496
Medical Expansion/	
A & E Fees	158,240
Repair and Rehabilitation	<u>815,000</u>
TOTAL	1,707,270
WABASH VALLEY CORRECTIONAL	
INSTITUTION	
Preventive Maintenance	<u>509,244</u>
TOTAL	509,244

The foregoing allocations for repair and rehabilitation and new construction for work release centers, correctional units, state prison, reformatory, women's prison, state farm, reception diagnostic center, boys' school, girls' school, Branchville training center, and youth center are hereby appropriated from the postwar construction fund established under IC 7.1-4-8-1.

The foregoing allocations for repair and rehabilitation for the correctional industrial complex and Westville correction center are hereby appropriated from the postwar construction fund established under IC 7.1-4-8-1.

#### C. CONSERVATION AND ENVIRONMENT

##### DEPARTMENT OF NATURAL RESOURCES

##### STATE MUSEUM

Preventive Maintenance	202,210
Repair and Rehabilitation	<u>850,000</u>
TOTAL	1,052,210

##### ENFORCEMENT

Preventive Maintenance	190,000
Repair and Rehabilitation	<u>84,000</u>
TOTAL	274,000

##### FISH AND WILDLIFE

Preventive Maintenance	1,658,300
Repair and Rehabilitation	<u>2,220,000</u>
TOTAL	3,878,300

The foregoing appropriation for fish and wildlife is appropriated from

the fish and wildlife fund as established by IC 14-22-3-2.

FORESTRY

Preventive Maintenance	1,570,000
Repair and Rehabilitation	<u>1,731,500</u>
TOTAL	3,301,500

HISTORIC SITES

Preventive Maintenance	259,000
Repair and Rehabilitation	<u>950,000</u>
TOTAL	1,209,000

NATURE PRESERVES

Preventive Maintenance	100,000
Repair and Rehabilitation	<u>250,000</u>
TOTAL	350,000

OUTDOOR RECREATION

Preventive Maintenance	39,990
Repair and Rehabilitation	<u>250,000</u>
TOTAL	289,990

RESERVOIR MANAGEMENT DIVISION

Preventive Maintenance	680,500
Repair and Rehabilitation	<u>4,800,000</u>
TOTAL	5,480,500

STATE PARKS

Preventive Maintenance	3,000,000
Land Acquisition )	
Prophetstown	3,000,000
Fort Harrison	3,400,000
Charlestown	1,600,000
Summit Lake	500,000
Repair and Rehabilitation	<u>9,100,000</u>
TOTAL	20,600,000

GENERAL ADMINISTRATION

Heritage Trust	<u>5,000,000</u>
TOTAL	5,000,000

DIVISION OF WATER

Preventive Maintenance	300,000
Repair and Rehabilitation	<u>840,000</u>
TOTAL	1,140,000

The foregoing allocations for preventive maintenance for the state museum, forestry, historic sites, nature preserves, outdoor recreation, reservoir management, state parks, and division of water are hereby appropriated from the cigarette tax fund established by IC 6-7-1-28.1. Additionally, the allocations for repair and rehabilitation for the state museum, historic sites, nature preserves, outdoor recreation, division of water, and the state parks Summit Lake acquisition are appropriated from the cigarette tax fund established by IC 6-7-1-28.1.

WAR MEMORIALS COMMISSION

Preventive Maintenance	842,284
Repair and Rehabilitation	<u>1,045,000</u>
TOTAL	1,887,284

FAMILY AND SOCIAL SERVICES  
ADMINISTRATION

MENTAL HEALTH	
DEPARTMENT OF	
MENTAL HEALTH )	
CENTRAL OFFICE	
Demolition at	
State Facilities	<u>3,000,000</u>
TOTAL	3,000,000
EVANSVILLE PSYCHIATRIC	
CHILDREN'S CENTER	
Preventive Maintenance	<u>37,989</u>
TOTAL	37,989
EVANSVILLE STATE HOSPITAL	
Preventive Maintenance	630,000
Repair and Rehabilitation	<u>675,000</u>
TOTAL	1,305,000
MADISON STATE HOSPITAL	
Preventive Maintenance	<u>847,207</u>
TOTAL	847,207
LOGANSPOUT STATE HOSPITAL	
Preventive Maintenance	<u>840,000</u>
TOTAL	840,000
LARUE D. CARTER MEMORIAL HOSPITAL	
Preventive Maintenance	441,000
Repair and Rehabilitation	<u>3,500,000</u>
TOTAL	3,941,000
RICHMOND STATE HOSPITAL	
Preventive Maintenance	<u>1,098,162</u>
TOTAL	1,098,162
NEW CASTLE STATE	
DEVELOPMENTAL CENTER	
Preventive Maintenance	<u>635,250</u>
TOTAL	635,250
FORT WAYNE STATE	
DEVELOPMENTAL CENTER	
Preventive Maintenance	1,262,625
Repair and Rehabilitation	<u>950,000</u>
TOTAL	2,212,625
MUSCATATUCK STATE	
DEVELOPMENTAL CENTER	
Preventive Maintenance	1,096,675
Repair and Rehabilitation	<u>1,100,000</u>
TOTAL	2,196,675
NORTHERN INDIANA STATE	
DEVELOPMENTAL CENTER	
Preventive Maintenance	204,750
Repair and Rehabilitation	<u>4,223,000</u>
TOTAL	4,427,750

The foregoing allocations for repair and rehabilitation for Evansville State Hospital, Larue D. Carter Memorial Hospital, and Fort Wayne State Developmental Center are hereby appropriated from the postwar construction fund under the provision of IC 7.1-4-8-1.

# DEPARTMENT OF HEALTH

## DEPARTMENT OF HEALTH

Preventive Maintenance	417,690
Repair and Rehabilitation	<u>1,245,500</u>
TOTAL	1,663,190

## SILVERCREST CHILDREN'S DEVELOPMENT CENTER

Preventive Maintenance	156,450
Repair and Rehabilitation	<u>711,470</u>
TOTAL	867,920

## SCHOOL FOR THE BLIND

Preventive Maintenance	443,722
Repair and Rehabilitation	<u>1,688,000</u>
TOTAL	2,131,722

## SCHOOL FOR THE DEAF

Preventive Maintenance	506,520
Repair and Rehabilitation	<u>1,459,532</u>
TOTAL	1,966,052

## SOLDIERS' AND SAILORS' CHILDREN'S HOME

Preventive Maintenance	328,860
Repair and Rehabilitation	<u>1,064,000</u>
TOTAL	1,392,860

Of the foregoing allocations for preventive maintenance and repair and rehabilitation for the Soldiers' and Sailors' Children's Home, five hundred sixty-seven thousand, eight hundred sixty dollars (\$567,860) is hereby appropriated from the Soldiers' and Sailors' Children's Home maintenance fund under the provision of IC 16-33-4-17.

## VETERANS' HOME

Preventive Maintenance	664,125
Repair and Rehabilitation	<u>4,030,450</u>
TOTAL	4,694,575

The foregoing allocations for the Indiana Veterans' Home are hereby appropriated from the veterans' home building fund established by IC 10-6-1-9. Before funds may be expended for the activity and comprehensive care center architectural and engineering fees, the Indiana Veterans' Home shall submit to the budget committee an analysis of the future demand for comprehensive care beds at the Indiana Veterans' Home and the feasibility of using sources of funding other than exclusively state general funds to support the operations of the Indiana Veterans' Home.

## VETERANS' AFFAIRS

### FOR THE DEPARTMENT OF VETERANS' AFFAIRS

Cemetery Construction	<u>300,000</u>
TOTAL	300,000

## EDUCATION

### HIGHER EDUCATION INDIANA UNIVERSITY ) TOTAL SYSTEM

General Repair and Rehab	24,139,182
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PURDUE UNIVERSITY )	
TOTAL SYSTEM	
General Repair and Rehab	17,254,748
INDIANA STATE UNIVERSITY	
General Repair and Rehab	4,379,700
UNIVERSITY OF SOUTHERN INDIANA	
General Repair and Rehab	560,900
BALL STATE UNIVERSITY	
General Repair and Rehab	5,975,952
VINCENNES UNIVERSITY	
General Repair and Rehab	2,334,414
INDIANA VOCATIONAL	
TECHNICAL COLLEGE	
General Repair and Rehab	2,600,604
EAST CHICAGO	
Special Repair and Rehab	3,000,000
BUILD INDIANA FUND	
(IC 4-30-17)	
Camp Atterbury Veterans' Memorial	100,000
Little Calumet River	
Basin Flood	
Control/Recreation	
Project	2,000,000
Economic Development	
Initiatives,	
Perry County	2,000,000
Ft. Wayne Projects	
Dalman Project, Allen County	500,000
Science Central	1,000,000
Evansville National Guard	
Armory and Maintenance Facility	1,333,551
Fire Safety Equipment	
Revolving Loan Fund	3,000,000
Waste Water and Water	
System Projects	
Grants and Loans	10,000,000
Kankakee River Basin	
Commission	1,000,000
Jay County Public Library	
Building Project	150,000
New Construction of	
Town Hall,	
Town of Avon	200,000
Fairground Livestock	
Building,	
Washington County	150,000
Liberty Township	
Fire Station,	
Fulton County	25,000
Murat Theater	225,000
Lake Shafer Silt Reduction	200,000

Victor Pike Industrial Park, Bloomington	300,000
St. Joe River Restoration Project, St. Joseph County	250,000
Ft. Benjamin Harrison Golf Course, Marion County	1,000,000
Brown County Recycling Center	150,000
Muncie/Delaware County Senior Citizens Council	20,000
Lafayette Parking Facility	500,000
Winslow Library	200,000
16th Street Soccer Field, Indianapolis	250,000
Lake Michigan Marina Commission for Portage Marina only	1,250,000
Walk Bridge in Gas City	25,000
Muncie Children's Museum	500,000
Valparaiso Memorial Opera House Renovation	500,000
Shelby County Infrastructure	250,000
Shelbyville Municipal Airport	250,000
City Park in Ashley	50,000
Reike Park in Auburn	50,000
IVY Tech State College Aviation Project-Terre Haute	1,000,000
Kosciusko County Complex	175,000
Millcreek Civic Center	200,000
Hoosier Gym Community Center, Knightstown	100,000
New Lisbon Volunteer Fire Station	75,000
Leo-Cedarville Community Park, Allen County	50,000
Wabash River Heritage Corridor	750,000
Crispus Attucks Museum	30,000
Clinton Depot Project	104,000
Madison County 4-H Program	200,000
Fayette County By-Pass	400,000
Connersville Infrastructure	500,000
Union County Community Care Center	400,000
Pine Lake, LaPorte County	2,500,000
Big Flat Rock River Project	1,000,000
Zenas Reservoir Project	1,500,000
White River State Park-State Museum Complex	2,000,000
Swimming Pool-School for the Blind	1,800,000
Circus Hall of Fame Restoration	250,000

Armory-Marion joint venture	1,691,000
Southwestway Baseball Park	190,000
Vietnam Veterans' Memorial	500,000
Tracey Road, New Whiteland	200,000
Franklin Overpass	100,000
Perry Park	60,000
Civil War Flags	150,000
Richmond Baseball Stadium	300,000
Sylvan Lake Dam Repairs	1,750,000
NICTD Capital Improvements	<u>1,000,000</u>
TOTAL BUILD INDIANA FUND	46,403,551

The foregoing appropriation for repairs of the Sylvan Lake Dam is to reimburse the cigarette tax fund through the department of natural resources for the costs advanced by the cigarette tax fund to repair the Sylvan Lake Dam. The budget agency shall allot the money appropriated for the other foregoing projects as money is available in the build Indiana fund. The projects to be funded shall be determined by the budget agency after the review and recommendation of the budget committee.

#### **1995-340-32**

SECTION 32. The budget agency may employ one (1) or more architects or engineers to inspect construction, rehabilitation, and repair projects covered by the appropriations in this act or previous acts designated in this act.

#### **1995-340-33**

SECTION 33. If any part of a construction or rehabilitation and repair appropriation made by this act or any previous acts has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated and the balance may revert to the state general fund if the original appropriation was made from the state general fund.

#### **1995-340-34**

SECTION 34. Notwithstanding the provisions of Chapter 192, SECTION 3 and Chapter 225, SECTION 4 of the Acts of 1965, the Indiana port commission has no obligation to repay the state for any sums remaining unpaid on appropriations made to them in the above mentioned Chapters and SECTIONS of laws enacted in 1965.

#### **1995-340-35**

SECTION 35. (a) There is appropriated for each state fiscal year thirty million dollars (\$30,000,000) from the build Indiana fund, state and local capital projects account (IC 4-30-17-3.5), to the local road and street account (IC 8-14-2) for allocation and distribution in accordance with IC 8-14-2.

(b) There is appropriated for each state fiscal year twenty million dollars (\$20,000,000) from the build Indiana fund, state and local capital projects account (IC 4-30-17-3.5), to the Indiana technology

fund (IC 4-34-2) for allocation and distribution in accordance with IC 4-34.

(c) Notwithstanding the provisions of subsections (a) and (b), if the balance of the build Indiana fund, state and local capital projects account is less than fifty million dollars (\$50,000,000) at the end of the state fiscal year, the balance available for the local road and street account and for the Indiana technology fund shall be divided with sixty percent (60%) of the dollars appropriated for the local road and street account and forty percent (40%) of the dollars appropriated for the Indiana technology fund.

(d) This SECTION expires July 1, 1997.

#### **1995-340-36**

SECTION 36. Money that is considered to be surplus revenue under IC 4-32-10-1 and transferred to the treasurer of state under IC 4-32-10-6, and money from taxes imposed under IC 4-31-9-3(a) that would otherwise be paid into the state general fund under IC 4-31-9-3(b) shall be transferred to the lottery and gaming surplus account in the build Indiana fund.

#### **1995-340-37**

SECTION 37. The following amounts are appropriated from the build Indiana fund under SECTION 31 of this act for the following purposes:

Year  
1995-1997

FOR THE BUDGET AGENCY  
FIRE SAFETY EQUIPMENT  
REVOLVING LOAN FUND

Total Operating

Expenses for

the Biennium

3,000,000

Notwithstanding any other law, the budget agency shall establish a fire safety equipment revolving loan account in the build Indiana fund, together with a fire safety equipment revolving loan program. Money in this account shall be used to make or provide for the making of no interest loans to Indiana communities and fire safety service providers for the purchase and lease of fire safety equipment, especially fire engines and necessary or useful equipment related to fire engines and fire safety.

In establishing this account and program, the budget agency shall work with other agencies of state and federal government to take maximum advantage of the foregoing appropriation. To this end, money in this account may be used to match federal grants and loans. No loan to a community or provider shall be made in a principal amount in excess of seventy-five percent (75%) of the purchase price of the fire engine or other equipment for which the loan is made. No community or provider shall be obligated to repay more than fifty percent (50%) of the principal amount of the loan made to the community or provider. No loan may be made from this account for a term exceeding five (5) years from the date the loan is made. Before a

community or provider borrows money from this account, it must provide evidence satisfactory to the budget agency to justify the community's or provider's need for the loan, its inability to receive cost-effective financing elsewhere, and its ability to repay the loan within the term of the loan.

The budget agency may not expend money from this account until this program has been reviewed by the state budget committee and approved by the governor. Notwithstanding any law to the contrary: (i) the cost of administering this account may be paid from money in the account; (ii) money in this account is appropriated continuously for the purposes specified in this act; (iii) money in this account does not revert to the build Indiana fund or the general fund at the end of a state fiscal year; and (iv) the treasurer of state shall invest money in this account not needed currently to meet the obligations of the account. On or before December 1, 1995, the budget agency shall submit to the budget committee draft legislation that would more permanently govern this account and program.

If insufficient money is in the fund to provide loans to all applicants, the budget agency shall give first priority to the following projects, which are not listed in any order of priority:

- (1) Replacement of Firefighting Gear and Telecommunications needs, Greene County.
- (2) Southwest Volunteer Fire Department Fire Truck, Bartholomew County.
- (3) Town of Mentone Emergency Medical Equipment, Kosciusko County.
- (4) Firetruck with Aerial Firefighting Platform, Jackson County.
- (5) Fire Equipment for Town of Vevay, Switzerland County.
- (6) Fire Equipment for Town of Little York, Washington County.
- (7) City of North Vernon Firetruck with Aerial Platform, Jennings County.
- (8) Fire Truck Henry Township Volunteer Fire Department, Fulton County.
- (9) LaOtto Volunteer Fire Department, Noble County.
- (10) Swayzee Volunteer Fire Department, Grant County.
- (11) Orange Twp Fire Department 1st Respond Vehicle, Rome City, Noble County.
- (12) Town of Dayton, Tippecanoe County.
- (13) Town of Milan, Ripley County.
- (14) St. Paul Fire Truck, Decatur County.
- (15) Clay Township Firetruck, Vigo County.
- (16) Aboite Township Emergency Equipment, Allen County.
- (17) Washington Township Emergency Equipment, Allen County.
- (18) Lake Township Emergency Equipment, Allen County.
- (19) Mexico County Fire Association Truck, Miami County.
- (20) Elberfeld Fire Equipment, Warrick County.

FOR THE BUDGET AGENCY  
COMMUNITY WASTEWATER

## GRANTS AND LOANS

Total Operating

Expenses for

the Biennium

18,200,000

The foregoing appropriation shall be transferred from the balance of the appropriations made to the Indiana department of environmental management by P.L.357-1989(ss), in the amount of nine million two hundred thousand dollars (\$9,200,000), and P.L.240-1991(ss2), in the amount of eleven million dollars (\$11,000,000), for the revolving loan program established by IC 4-23-21-5 and jointly administered by the budget agency and the department of environmental management. The foregoing appropriation shall be deposited in the fund established by IC 4-23-21-15 (supplemental wastewater assistance fund) and used in accordance with IC 4-23-21-15 through IC 4-23-21-18.

## COMMUNITY WASTEWATER AND

DRINKING WATER GRANTS

10,000,000

The foregoing appropriation from the build Indiana fund shall be deposited in the fund established by IC 4-23-21-15 (supplemental wastewater assistance fund) or an account established therein and used solely to make grants (not loans) as provided in IC 4-23-21-15 through IC 4-23-21-18.

The foregoing appropriations shall be administered by the budget agency to take maximum advantage of other state and federal wastewater and drinking water financing programs, including the state wastewater revolving loan (SRF) fund program. In making the foregoing appropriations, it is the intent of the general assembly to effectively reduce the costs, including financing costs, of wastewater and drinking water projects and, as a result, reduce rates and charges payable by Indiana ratepayers and taxpayers. It is the further intent of the general assembly that the foregoing appropriation for community wastewater and drinking water grants be targeted to serve small Indiana communities whose median household incomes are not more than eighty percent (80%) of the state nonmetropolitan household income.

If insufficient money is in the fund to provide loans to all applicants, the budget agency shall give first priority to the following projects, which are not listed in any order of priority:

- (1) Middlebury Water Main.
- (2) Water/Sewer Extension, Huntington County.
- (3) Lake of the Woods Sewer Project, Marshall County.
- (4) U.S. 30 Corridor Water Line, Whitley County.
- (5) Extension of Sanitary Sewer, Water and Electric Utilities, Town of Ferdinand.
- (6) Construction of Water Storage Tank, Town of Hagerstown, Wayne County.
- (7) Water System Improvement Project, Town of Dublin, Wayne County.
- (8) Town of Poneto Municipal Sewage Project, Wells County.
- (9) Town of Bristol Storm Sewer Project.
- (10) Orchard Lane Sewer Project, White County.
- (11) City of Hobart Sanitary Sewer Tie-in Project,

- Lake County.
- (12) Independence Hill Conservancy District,  
Lake County.
- (13) Town of Griffith Sewer Repair/Replacement  
Lake County.
- (14) Western Rush County Water and Sewer Project,  
Rush County.
- (15) U.S. 42 Sanitary Sewer Extension,  
Town of Shelburn.
- (16) Montpelier Sewage Project, Blackford County.
- (17) Hartford City Sewage Project, Blackford County.
- (18) Island Rehab. Project, Kosciusko County.

**1995-340-108**

SECTION 108. IC 21-3-1.7-6.4(f), as effective before July 1, 1995, does not apply to property taxes first due and payable after December 31, 1994.

**1995-340-109**

SECTION 109. (a) The department of education shall conduct a study of the funding and delivery of services to students with chronic attention deficit disorder.

(b) The department of education shall report the results of the study required under subsection (a) and make recommendations to the general assembly before January 1, 1999.

(c) This SECTION expires July 1, 1999.

**1995-340-110**

SECTION 110. (a) The definitions in IC 20-3.1-2, as added by this act, apply throughout this SECTION.

(b) As used in this SECTION, "approved plan" means a plan to educate desegregation transfer students in schools operated by a school city that is approved by:

- (1) the board of school commissioners of the school city; and
- (2) the court issuing the court order.

(c) As used in this SECTION, "court order" means the orders issued by the United States District Court for the Southern District of Indiana in the Marion County schools desegregation case assigned the Cause Number IP 68-C-225-S.

(d) As used in this SECTION, "desegregation transfer student" means a student who has legal settlement in a school city but will be transported to another school corporation for instruction under the terms of a court order.

(e) As soon as practicable after the effective date of this SECTION, the board of school commissioners for a school city shall adopt a proposed plan to educate desegregation transfer students in schools operated by the school city. The plan must provide a five (5) year schedule to complete the return of all desegregation transfer students to the school city beginning in the later of the school year:

- (1) beginning July 1, 1996; or
- (2) that begins immediately after the United States District Court

for the Southern District of Indiana approves the plan. The plan must include provisions to improve educational programming in the school city, especially for desegregation transfer students who are at-risk children. The plan must allow desegregation transfer students to participate in the parental choice program required under IC 20-3.1-4, as added by this act.

(f) The school city shall petition the court that issued the court order to modify the court order and approve the implementation of the plan described in subsection (e).

(g) A school city shall implement an approved plan. Expenditures to implement the approved plan may be made only after the expenditures are appropriated in a budget or supplemental budget that is approved by the state board of tax commissioners.

(h) Notwithstanding any other provision of this act or any other law enacted in the 1995 session of the general assembly, subject to this SECTION, and only to the extent approved by the United States District Court for the Southern District of Indiana, money appropriated by the general assembly, for a state fiscal year beginning after June 30, 1995, and ending before July 1, 2001, for court ordered desegregation costs under the United States District Court for the Southern District of Indiana, Cause Number IP 68-C-225-S, shall be used to implement an approved plan.

(i) A school city shall establish a desegregation fund to receive distributions made to the school city from the money described in subsection (h). Money in the desegregation fund may be used only to carry out an approved plan. Money in the desegregation fund does not revert to the school general fund.

(j) This SECTION expires July 1, 2001.

#### **1995-340-111**

SECTION 111. (a) As used in this SECTION, "committee" refers to the testing issues study committee established by subsection (b).

(b) The testing issues study committee is established.

(c) The committee shall study all aspects of issues related to student assessment testing, including professional development and remediation.

(d) In addition to studying the issues specified under subsection (c), the committee shall perform the following tasks:

(1) Recommend to the state budget committee an appropriate distribution formula for remediation funding under the ISTEP program.

(2) Receive and review the proposal developed under subsection (e) by the department of education concerning long term professional development.

(3) Recommend to the Indiana state board of education a policy to ensure that future test items will be reviewed by Indiana parents, teachers, and employers.

(e) The department of education, with the assistance of the professional standards board and state educational institutions, shall prepare and submit to the committee a study and proposal concerning necessary long term professional staff development related to student



assessment testing, including the development of undergraduate and postgraduate courses in student testing and measurement in basic and applied skills. The department shall submit the study and proposal to the committee by August 1, 1995.

(f) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(g) Before December 31, 1995, the committee shall issue a report stating the committee's findings, conclusions, and recommendations. The committee shall issue other reports as directed by the legislative council.

(h) The committee consists of eight (8) members of the general assembly.

(i) The speaker of the house of representatives, with the advice of the minority leader of the house of representatives, shall appoint four (4) representatives, not more than two (2) of whom are members of the same party, as members of the committee.

(j) The president pro tempore of the senate, with the advice of the minority leader of the senate, shall appoint four (4) senators, not more than two (2) of whom are members of the same party, as members of the committee.

(k) At the time the committee members are appointed the chairman of the legislative council shall name one (1) of the members chairman and the vice chairman of the legislative council shall name one (1) of the members vice chairman.

(l) A member of the committee serves at the pleasure of the appointing authority who appointed the member.

(m) The governor and the state superintendent of public instruction, acting jointly, may appoint advisory members to the committee. An advisory member appointed under this subsection may not vote on any issue before the committee.

(n) The committee shall meet during the interim between adjournment of the regular session of the general assembly and November 1, 1995, at the call of the chairman or at other times the committee determines.

(o) Notice of the time, place, and agenda of committee meetings shall be given in the same manner as meetings of interim study committees established by the legislative council.

(p) Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(q) Staff and administrative support for the committee shall be provided by the legislative services agency.

(r) The legislative council shall establish a budget for the committee. Subject to prior authorization of the legislative council, the expenses incurred by the committee in performing the committee's duties shall be paid from the funds appropriated to the council.

(s) This SECTION expires December 31, 1995.

SECTION 112. (a) The local budget year commission is established.

(b) The commission consists of eleven (11) voting members appointed as follows:

(1) Two (2) members of the senate, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Two (2) members of the house of representatives, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) The superintendent of public instruction or the superintendent's designee.

(4) A representative of the Indiana Association of School Business Officials appointed by the president pro tempore of the senate.

(5) A representative of the Indiana School Boards Association appointed by the speaker of the house of representatives.

(6) A representative of the Indiana Association of Public School Superintendents appointed by the speaker of the house of representatives.

(7) A representative of the Indiana Association of Cities and Towns appointed by the speaker of the house of representatives.

(8) A representative of the Indiana Association of Counties appointed by the speaker of the house of representatives.

(9) A county auditor appointed by the speaker of the house of representatives.

(c) The chairman of the legislative council shall appoint a member of the commission who is a member of the general assembly to serve as chairperson of the commission. Whenever there is a new chairperson of the legislative council, the new chairperson may remove the chairperson of the commission and appoint another chairperson. The commission serves under the direction of the legislative council.

(d) A member of the commission may be removed at any time by the appointing authority appointing the member. If a member appointed under subsection (b)(1) through (b)(4) ceases to hold the office that qualified the person as a member of the commission, the member ceases to be a member of the commission. If a vacancy exists on the commission, the appointing authority who appointed the member whose position has become vacant shall appoint an individual to fill the vacancy.

(e) The commission shall study the following:

(1) Matters related to changing the budgeting and revenue collection cycle of political subdivisions from a calendar year basis to a fiscal year basis.

(2) The calendar year budgeting procedures of political subdivisions.

(3) The calendar year procedures for the establishment of a property tax levy, the establishment of a property tax rate, and the collection of property taxes.

The commission may prepare a plan that describes the steps that will

need to be taken and the issues that will need to be resolved in order to convert political subdivisions from a calendar year to a fiscal year. The commission may study other topics assigned by the legislative council or as directed by the commission's chairperson.

(f) The commission shall meet at the call of the chairperson. A quorum for a meeting of the commission consists of six (6) members. Six (6) affirmative votes are required for the commission to take action.

(g) The commission shall report the results of the commission's study to the general assembly before November 1, 1995. The commission serves under the direction of the legislative council.

(h) The legislative services agency shall provide staff support to the commission. The commission serves under the direction of the legislative council. The state board of tax commissioners shall provide staff support to the commission as requested by the commission chairperson.

(i) Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(j) This SECTION expires November 2, 1995.

#### **1995-340-113**

SECTION 113. (a) Notwithstanding the provisions of IC 12-16, a medical services provider that is eligible to receive payment of a per diem rate under IC 12-15-15-8 may not receive payments under IC 12-16-7.

(b) This SECTION does not apply to payments for services provided under IC 12-16 before July 1, 1995.

(c) This SECTION expires July 1, 1997.

#### **1995-340-114**

SECTION 114. Any excess funds remaining in the mental health fund established by IC 12-24-14 at the end of a state fiscal year, as determined by the state budget director, may be transferred to the state general fund with the approval of the governor and the budget agency.

#### **1995-340-115**

SECTION 115. (a) There is appropriated from the state general fund to Indiana University-Bloomington campus for deferred maintenance projects the following amounts:

(1) For the fiscal year beginning July 1, 1995, five million dollars (\$5,000,000).

(2) For the fiscal year beginning July 1, 1996, five million dollars (\$5,000,000).

(3) For the fiscal year beginning July 1, 1997, six million dollars (\$6,000,000).

(b) This SECTION expires July 1, 1998.

#### **1995-340-116**

SECTION 116. (a) There is appropriated from the state general

fund for the fiscal year beginning July 1, 1995, seven million seven hundred fifty thousand dollars (\$7,750,000) to Ball State University for the Ball State Gymnasium Renovation project.

(b) This SECTION expires July 1, 1997.

#### **1995-340-117**

SECTION 117. P.L.340-1995, SECTION 117, IS AMENDED TO READ AS FOLLOWS: SECTION 117. (a) The trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the food science and agriculture biotech complex project at the West Lafayette campus, if the sum of the principal costs of the bonds issued is not more than twenty-eight million dollars (\$28,000,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1997.

#### **1995-340-118**

SECTION 118. P.L.340-1995, SECTION 118, IS AMENDED TO READ AS FOLLOWS: SECTION 118. (a) The trustees of Indiana State University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the advanced technology center project, if the sum of the principal costs of the bonds issued is not more than thirteen million six hundred thousand dollars (\$13,600,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1997.

#### **1995-340-119**

SECTION 119. (a) The trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the science and engineering building project at Indiana University-Purdue University at Fort Wayne, if the sum of the principal costs of the bonds issued is not more than eighteen million dollars (\$18,000,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1997.

#### **1995-340-120**

SECTION 120. The board of trustees of Ivy Tech State College may issue and sell bonds under IC 20-12-6, subject to the approvals required under IC 20-12-5.5, for the Ivy Tech State College-South Bend Campus, main campus building project, if the cost of acquiring, constructing, remodeling, renovating, furnishing, or equipping the project financed by a series of bonds does not exceed sixteen million dollars (\$16,000,000). The above authorization is not eligible for a fee replacement appropriation until July 1, 1997.

#### **1995-340-121**

SECTION 121. (a) The trustees of Indiana University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the law school-Herron art school project at Indianapolis, if the sum of the principal costs of the bonds issued is not more than nineteen million dollars (\$19,000,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1999.

#### **1995-340-122**

SECTION 122. (a) The board of trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required under IC 20-12-5.5, for the Purdue University-Calumet campus, classroom and office building project, if the cost of acquiring, constructing, remodeling, renovating, furnishing, or equipping the project financed by a series of bonds does not exceed fifteen million four hundred thousand dollars (\$15,400,000).

(b) The above authorization is not eligible for a fee replacement appropriation until July 1, 1999.

(c) The authorization given in P.L.240-1991(ss2), SECTION 31, to the board of trustees of Purdue University to issue and sell bonds under IC 20-12-6 for the Purdue University-Calumet campus, auditorium and theater and convention center project in an amount not to exceed seven million seven hundred thousand dollars (\$7,700,000) is withdrawn.

#### **1995-340-123**

SECTION 123. (a) The trustees of the University of Southern Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the general purpose classroom project, if the sum of the principal costs of the bonds issued is not more than fifteen million two hundred thousand dollars (\$15,200,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1999.

#### **1995-340-124**

SECTION 124. (a) The trustees of Indiana University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the purpose of constructing, remodeling, renovating, furnishing, and equipping the classroom and student support services building and renovation project at its east campus, if the sum of the principal costs of the bonds issued is not more than ten million eight hundred thousand dollars (\$10,800,000).

(b) Bonding authority granted by this SECTION is not eligible for fee replacement appropriations until July 1, 1999.

#### **1995-340-125**

SECTION 125. IC 6-1.1-21-10, as amended by this act, applies only to distributions after December 31, 1995.

**1995-340-126**

SECTION 126. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity of that provision does not affect other provisions of this act that can be given effect without the invalid provision.